PARLIAMENTARY DEBATES

(HANSARD)

SIXTH SERIES—VOLUME 275

HOUSE OF COMMONS

OFFICIAL REPORT

FOURTH SESSION OF THE FIFTY-FIRST PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FORTY-FIFTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 1995–96

COMPRISING PERIOD
1 April—19 April 1996

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1 April 1996

THE PARLIAMENTARY DEBATES

OFFICIAL REPORT

IN THE FOURTH SESSION OF THE FIFTY-FIRST PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 27 APRIL 1992]

FORTY-FIFTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 275**

NINTH VOLUME OF SESSION 1995-96

House of Commons

Monday 1 April 1996

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

CONTINTENCIES FUND 1994-95

Ordered,

That there be laid before this House a Return of Accounts of the Contingencies Fund, 1994-95, showing:

(1) The Receipts and Payments in connection with the Fund in the year ended the 31st day of March 1995.

(2) The Distribution of the Capital of the Fund at the commencement and close of the year; with the Report of the Comptroller and Auditor General thereon.—[*Mr. Wood.*]

Oral Answers to Questions

NATIONAL HERITAGE

Professional Football

1. **Sir Teddy Taylor:** To ask the Secretary of State for National Heritage how many professional football clubs she or Ministers in her Department have visited over the past 12 months to discuss the viability of professional football. [21892]

The Minister of State, Department of National Heritage (Mr. Iain Sproat): My right hon. Friend and I have regular meetings with the governing bodies, and with many other groups and individuals involved in football, to discuss matters of concern to football and have visited both professional and amateur football grounds.

Sir Teddy Taylor: Is the Minister aware of the remarkable success story of Southend United football club which, in co-operation with local authorities, has provided remarkable services to Southend's young people, but which, like other clubs, has a problem finding an alternative site for a massive redevelopment? I appreciate the enormous burdens on the Minister's time, but might it be possible for him to visit the successful Southend United football club and, in establishing priorities, to bear it in mind that, when I became the Member of Parliament, Southend United was at the foot of the fourth division and is now, happily, near the top of the first division and likely to go higher?

Mr. Sproat: I am aware that Southend United is seventh in the first division and that it has a splendid record in liaising with schools, as the document "Raising the Game" hoped would happen. Southend's liaison with schools is a model for many clubs. On Southend United's moving or relocating, I read in a newspaper about possible relocation to Fossets farm. I would be happy to learn more about that from my hon. Friend, either here or in Southend.

Mr. Grocott: Will the Minister consider the effect on professional football's finances of the huge disparity between the money available to the premier league, because of its television contracts, and the money available to the Endsleigh league's first, second and third divisions? The effect is that, generally speaking, it is much more profitable for a player to play, for example, for the second team of a premier league club than for the first team of an Endsleigh league first division club. It also means that, when clubs are promoted from the Endsleigh league first division, they always run the risk of being

rapidly relegated because they simply do not have the finances of premier league clubs. Is not that distorting the whole game? Is it not time that that was examined?

Mr. Sproat: The hon. Gentleman raises an important problem, but the tremendous increase in income to football clubs through television sports rights has affected matters dramatically in both the premier league and other leagues. The Football League has recently negotiated a contract worth about £125 million over the next four or five years. I hope that that will make a difference to the problems that the hon. Gentleman describes.

Mr. Hawkins: Does my hon. Friend agree that it is crucial that we ensure that school fields are available for school children who, in future, become interested in sports, including football? Does he further agree that it is important to condemn left-wing local authorities that have continued to seek to ban or to discourage competitive sports, and that we will see splendid successes, such as that being shown by Blackpool football club, currently top of division two after a splendid 1-0 win over Brentford on Saturday, only if plenty of school children have the opportunity to participate in football and other sports at school?

Mr. Sproat: On football and schools, I congratulate the football authorities on what they have done. Since we produced "Raising the Game" on 14 July, no other sport has done more to encourage sport in schools. For example, the Football League, Sportsmatch and Auto Windscreens have a new six-a-side competition in secondary schools and Coca-Cola has sponsored the schoolboy European championships. We have consulted on the fact that the Sports Council should be consulted before any school playing fields are sold. I agree with my hon. Friend, therefore, that much has to be done and that much has been done.

Mr. Pendry: Had the Minister visited more football clubs, he would know of the many concerns facing professional football. As one who has visited more clubs, may I assist him by asking him to take on board some of those concerns as addressed in our charter for football—which, as he knows, has been universally well received by the football world? One such concern is about a lack of co-operation between his Department and the Department of the Environment. The Minister really must get tougher with that Department and insist that planning policy must work in favour of relocation rather than against it.

Will the Minister also deal with the real problem of losses to pools companies as a result of the national lottery's impact, which is a major factor in the inability of some league clubs to meet the demands of the Taylor report? As I have accepted today an invitation to visit Southend United to hear its problems, why does not he join me there?

Mr. Sproat: On the hon. Gentleman's point about co-operation with the Department of the Environment, my right hon. Friend the Secretary of State co-operates fully with it in all planning matters of that sort. On his point about a reduction in pools income, that is a serious problem that the Government met in the most recent Budget by increasing the money available to the Football Trust by 0.5 per cent. As for Southend, I shall make my own arrangements to learn everything that needs to be learnt there.

National Lottery

2. **Mr. Congdon:** To ask the Secretary of State for National Heritage how many good causes in London have been awarded funds from the national lottery. [21893]

The Secretary of State for National Heritage (Mrs. Virginia Bottomley): Awards totalling £315 million have been made to 444 projects in London.

Mr. Congdon: I thank my right hon. Friend for that announcement, and in particular for the major flagship projects in London that have benefited. Will she pay tribute to the many small organisations that have benefited from the national lottery, in particular the Croydon victim support scheme and the Croydon refugee project? Do not those projects show the lottery's value to a variety of good causes, not only in London but throughout the country?

Mrs. Bottomley: I pay a special tribute to the National Lottery Charities Board, which has done a magnificent job in a very short space of time in providing grants to organisations involved in care in the community. In London, the board has provided around 225 grants, concerned with old people's welfare, volunteer bureaux, Mencap, toy libraries, under-fives projects and all manner of schemes to help support others in the community.

Mr. Simon Hughes: The Secretary of State is aware of the apparent regional competition for the allocation of lottery money. Will she consider doing two things to ensure that the situation is understood? First, will she allow the provision of formalised regional figures that would compare a region's allocations with its population? Secondly, and more important, will she allow the identification of grants that are clearly for local projects—such as those mentioned by the hon. Member for Croydon, North–East (Mr. Congdon)—and those which are clearly for national projects, such as money for the Tate or the Earth centre in Doncaster, which are located in one region, but are for national and general benefit?

Mrs. Bottomley: The hon. Gentleman is aware that there are some myths and misunderstandings about distribution of lottery money. Nine out of 10 awards have been outside London and four out of five awards have been for amounts less than £100,000. Frequently, large flagship projects draw attention and give a somewhat misleading impression but, as the hon. Gentleman will know, some flagship projects in London are leading to major opportunities in regeneration. Certainly the projects in his constituency—the £50 million Bankside project, the Globe theatre and others—mean that we can hope for a cultural quarter in London such as they have in Paris.

Arts, Sport and Heritage Funding

3. **Mr. Jacques Arnold:** To ask the Secretary of State for National Heritage what assessment she has made of overall funding provision for (a) the arts, (b) sport and (c) heritage. [21894]

Mrs. Virginia Bottomley: The areas for which I am responsible benefit hugely from a rich tapestry of funding.

The partnership between public money—in the form of central and local government support—the lottery and private money, through sponsorship, provides well over £3 billion for arts, sport and our heritage. That partnership supports all our sectors on a scale never enjoyed before.

Mr. Arnold: May I welcome my right hon. Friend's announcement this morning on the establishment of talent funds financed by the national lottery? It is extremely important that we provide good funding for youngsters talented in the arts and, in particular, in sports, because that funding will further strengthen Britain's performance in the great international competitions.

Mrs. Bottomley: The announcement made this morning to the effect that we are now able to extend the remit of the Arts Council and the Sports Council using national lottery money to invest in talent is, I think, widely welcomed. We want to promote participation to encourage youngsters to get involved in the arts and in sport and we want to go for gold by training our excellent athletes of the future.

Mr. Skinner: Is the Secretary of State aware that we have always accepted that, for Britain to advance, it is important to help those who need assistance yet, every day in Parliament, a Tory Minister stands at the Dispatch Box and says, "Leave it to market forces and the talent will come up from the bottom—don't give them any money," but now that the Government have their sticky fingers on the lottery, they are saying, "Subsidise and intervene because market forces do not work for sport"?

Mrs. Bottomley: Anyone who had any doubt about new Labour need only listen to the hon. Gentleman's comments. In the past year, the national lottery has made 5,500 awards, which are leading to regeneration, promoting opportunity and developing social cohesion whether in the arts, sports, heritage or the environment. They are very much a force for good. They are a success, and I well understand that the Labour party cannot abide success.

Mr. Fabricant: Does my right hon. Friend realise how much my constituent, Mr. Spencer Duval of Lichfield, the national steeplechase champion, will welcome the news about talent funds? Will she confirm that he is just the sort of person to receive money from the talent fund? Will she wish him luck as he hopes to represent this country in the Olympic games? Will she also wish his father, Mr. Derrick Duval, luck—he is my election agent for the next general election?

Mrs. Bottomley: I cannot say that lottery money will be available for the father but, as part of the next stage, I shall certainly pass on the concern that steeplechasers should be able to benefit from lottery money. The Sports Council has done a remarkable job. It has put money into around 40 sports and made 1,492 awards in just over a year. The move towards supporting talent, coaching and promoting international participants in sporting activity is one which the Sports Council sought and is proceeding with. I shall pass on my hon. Friend's comments about his constituent.

Dr. John Cunningham: I welcome today's statement by the Secretary of State that she intends to introduce talent funds. She is right to say that her announcement will be widely welcomed. We certainly welcome it because she is implementing Labour policy—*[Interruption.]* I put the idea to her in the Chamber in a debate on 25 October last year, and I am pleased that she has taken it up. May I also welcome the associated announcement on the arts and historic buildings, which will also be welcomed? As it is now the case that individuals receive not only lottery cash but revenue funding, is not it important, from the point of view of access, fairness and probity, that any decisions are properly monitored and checked? What arrangements is the Secretary of State putting in place to ensure that the money is effectively and properly spent?

Mrs. Bottomley: I thank the right hon. Gentleman for his comments. I shall not spend too long on ownership of the concept of talent funds, which will result in great benefits to many youngsters and others. In addition, the support announced for touring means that all parts of the country can benefit from some of the artistic excellence which is otherwise confined to the great city centres.

The right hon. Gentleman is right to ask about monitoring. My Department has in hand a rigorous programme for monitoring the various distributing bodies, which have to lay annual reports before Parliament. The sums involved are substantial and the money must be used for their proper purpose.

Millennium

5. **Dr. Goodson–Wickes:** To ask the Secretary of State for National Heritage what plans she has to highlight the attractions of the River Thames for the millennium. [21896]

Mrs. Virginia Bottomley: A range of initiatives has been put forward to highlight the attractions of the River Thames for the millennium. We are working closely with the London tourist board, the Government office for London and private sector partners to ensure that full advantage is taken of the excellent opportunities offered by the river for the millennium and beyond.

Dr. Goodson–Wickes: My right hon. Friend will recognise that the River Thames is arguably the least well-used river of the world's major capitals. Will she assure the House that she will seize the opportunity presented by the millennium celebrations to sweep aside all problems—financial or tidal—to ensure that the River Thames takes its rightful place as the pride of London and the country?

Mrs. Bottomley: I strongly endorse my hon. Friend's comments. I welcome the work of my right hon. Friend the Secretary of State for the Environment. His Thames advisory group has done some very important work. Last week's news about the royal naval college is further encouragement. Up and down the Thames, projects are receiving investment on an unprecedented scale. My objective is precisely that of my hon. Friend: that the River Thames should retain a vital role in London.

Mr. Spearing: The remarks of the hon. Member for Wimbledon (Dr. Goodson-Wickes) will be echoed by all hon. Members who represent London constituencies and, I know, by the Secretary of State herself. Does she agree

that there needs to be proper co-ordination of the new river services to the two millennium sites at Greenwich—perhaps north of Greenwich, too—possibly under the aegis of the Port of London Authority? Does she also agree that Londoners would not appreciate development of a service oriented primarily to create a marine equivalent of the tourist hop-on hop-off buses, and would prefer it to be properly integrated with London's public passenger transport services?

Mrs. Bottomley: I thank the hon. Gentleman for his comments. I know of his keen interest in the subject. Discussions are under way on proposals for the millennium festival at Greenwich. As the year progresses, I think that more public and private authorities will co-operate on taking the opportunity to invest in the capital. I shall certainly ensure that the hon. Gentleman's thoughts about river transport are passed on.

National Lottery

6. **Sir Sydney Chapman:** To ask the Secretary of State for National Heritage if she will make a statement on the powers available to the operator of the national lottery to change the rules governing the amount and distribution of winnings. [21897]

Mrs. Virginia Bottomley: Rules for payment of prizes from any game that forms part of the national lottery can be changed only with the prior consent of the Director General of the National Lottery.

Sir Sydney Chapman: I am grateful to my right hon. Friend for that answer. Will she confirm that the recent rule adjustment relating to the £10 payout for forecasting three correct numbers was made at the behest of the Director General of the National Lottery only to cover what would be an extremely unlikely eventuality? Will she also confirm that, of all the bidders to run the national lottery, Camelot came forward with the lowest operating costs, and will in fact take in profit less than 1 per cent. of all the money staked?

Mrs. Bottomley: My hon. Friend precisely describes the situation. As far as I have been able to establish, the lottery has the lowest operating costs of any national lottery anywhere in the world. It is extremely efficient and very well regulated. The recent announcement about the match-three rule resulted from the decision of the Director General of Oflot, who took a particularly scrupulous view of the matter, although, as he said, the chances of such an eventuality were about the same as meeting Elvis on the moon.

Mrs. Anne Campbell: Is the Secretary of State aware of the widespread anger that Oflot's announcement has caused? Can she name one other lottery that pays out less than the allotted prize money, which is what has been proposed?

Mrs. Bottomley: I do not think that there has been widespread anger. People have continued to play the national lottery, and I expect that, once again, a very large number of people will play it for the roll-over on Easter Saturday. I accept that, at the time of the announcement, there was some misunderstanding, but people have since seen it in its proper proportion. People have received their £10 on every occasion since the lottery started and I expect that they will continue to do so. When I am in Cambridge this week to open the Arts theatre, I shall discover whether there is great anger about the rule change. There is more likely to be great celebration that the Arts theatre is one of 147 theatres in the country that has benefited from the national lottery.

Mr. John Marshall: Will my right hon. Friend tell the puritans of the left who want to interfere with the roll-over that, when there is a roll-over, many more people play and the beneficiaries are the good causes for which the lottery is designed?

Mrs. Bottomley: My hon. Friend is precisely right. There is an increase of about 20 per cent. in the number of players when there is a roll-over. More people play the national lottery than vote in a general election. When we manage to achieve the same participation rate as the national lottery, I shall think that we, as elected parliamentarians, are beginning to succeed.

Football (European Championship)

7. **Mr. Tony Banks:** To ask the Secretary of State for National Heritage what plans she has to meet the English Football Association to discuss arrangements for the staging of the European championship. [21898]

Mr. Sproat: My right hon. Friend and I have been meeting the football authorities on a regular basis to discuss the organisation of Euro 96. We will meet them and other interested parties again shortly.

Mr. Banks: May I say en passant to the Minister that I was very disappointed that he did not present the Coca-Cola cup at Wembley and that the Secretary of State got the job? We all know how much she knows about football—the Cabinet's answer to Alan Hansen. Then again, I suppose that life is a bit of a bucket of cold spit; the Minister does get the topless dancer tossing the caber.

When the Minister talks to the Football Association, will he ensure that it puts a good spin on the European championship and that there is not just talk about who has the best hooligans and hooliganism generally? We are talking about football and not about a rerun of the 30 years war. It is important to stress the positive side of football and not the negative side.

Mr. Sproat: The hon. Gentleman is right and I hope that there will be magnificent games of football. However, many people are worried about possible outbursts of hooliganism and so on. The hon. Gentleman will be glad to know that my right hon. and learned Friend the Home Secretary has now reached agreement with all the European countries that we can do everything possible to spot foreign hooligans and our own resident hooligans at matches.

Mr. Simon Coombs: Is my hon. Friend aware that a number of hotel companies propose to increase their room prices substantially during the competition and that that may have a damaging effect on the tourism industry generally? Is he further aware that charter airline companies are now talking of visitors to Britain for the

football competition coming only for the day? Is there not, therefore, some sense in discussing the matter with the hotel companies to ensure that what they propose does not damage the tourism industry this summer?

Mr. Sproat: My hon. Friend is right to raise the point about opportunities for tourism generated by the European championship. We expect another 250,000 visitors as a result and another £100 million-worth of income to our tourism industry. The English tourist board sits on committees that are involved with the matter. I know that the board is worried that hotels may price themselves out of business and that it is taking all sensible measures to prevent that.

Mr. Maxton: When the Minister meets the English Football Association, will he discuss with it the great anger and concern in Scotland about the very small allocation of tickets for Scottish fans for the game between England and Scotland at Wembley on 15 June? Will he try to ensure that the allocation is increased because, otherwise, Scottish fans will get tickets that mean that they will mix with English fans, which may cause some difficulty?

Mr. Sproat: I shall do everything that it is proper for me to do.

Digital Television Multiplexes

8. **Mr. Hain:** To ask the Secretary of State for National Heritage what quality criteria will be used in judging applications to operate digital television multiplexes. [21899]

Mr. Sproat: Applications for multiplex licences will be judged on their likely contribution to the successful development of digital terrestrial television in the United Kingdom. A key criterion will be the variety of programming that applicants intend to provide. Existing terrestrial broadcasters, who have been meeting programming quality thresholds, are being offered guaranteed capacity on digital multiplexes.

Mr. Hain: Will the Minister accept the Independent Television Commission's desire to include quality among the criteria for judging applications by digital television multiplex operators? Surely quality has to be an essential part of the criteria because, otherwise, we are in for a diet of yet more American-type tat on television.

Mr. Sproat: The hon. Gentleman raises an important point. There are quality thresholds for BBC1, BBC2, channels 3, 4 and 5, and S4C, and the criteria of taste, decency and impartiality will apply to everyone. The Government are currently satisfied that those are sufficient, but we shall no doubt return to the matter during our debates on the Broadcasting Bill.

Mr. Robert G. Hughes: Does my hon. Friend agree that over-regulation is the enemy of good quality television and of employment opportunities? Would not it be better for Britain and for our great television industry to cut regulation and allow our companies to compete for, and win, markets around the world?

Mr. Sproat: My hon. Friend makes the other side of the case very well. It is important that a proper balance is struck between the quality of television and encouraging the expansion of our new digital television industry—not only programmes, but the equipment that British companies can manufacture and sell at home and abroad.

Departmental Accountability

10. **Mr. Flynn:** To ask the Secretary of State for National Heritage what new proposals she has to improve the accountability of her Department. [21901]

Mrs. Virginia Bottomley: My Department's aims and objectives, performance and future expenditure plans in the annual report were published on Monday 25 March. The content of that report is kept under review.

Mr. Flynn: Would not the Department be made more accountable if the Secretary of State discovered why places such as Hampton court and the Tower of London—unoccupied royal areas—are so popular? Would not there be an enormous boost to jobs and tourism if more royal palaces were unoccupied and freely open throughout the year to tourists? Will she follow the campaign of my hon. and, I understand, royal Friend the Member for Caerphilly (Mr. Davies), who has said that he is willing to live in Caerphilly castle and—when he is monarch or president—that he will be happy to rule under the campaign title, "One monarch, one palace"?

Mrs. Bottomley: The hon. Gentleman is right to identify the great popularity of royal palaces, and I commend Historic Royal Palaces for ensuring that they are more responsive, open and accessible.

Mr. Fisher: Will the Secretary of State now account to the House for one of the most damaging and self-destructive actions that she has taken—the Government's withdrawal last November from the Council of Europe's Eurimages scheme? Does she appreciate that the £2 million subscription leveraged between £45 million and £50 million a year of European co-production money to the advantage of our industry? In the absence of any Government policy for restarting and reinvigorating the feature film industry, will she now do a U-turn—one that we would welcome and support—and rejoin Eurimages?

Mrs. Bottomley: It is clear that Labour approaches every issue as if it were on a wish list—it never says no and says yes only to any spending commitment. The responsibility of the Government is to make difficult choices and to set priorities. Film has benefitted from 70 awards and £20 million from the national lottery, and that is an important boost to the industry. I shall take due note of the recommendations of Sir Peter Middleton's committee on film finance. We have no intention of changing our position on Eurimages, but we have every intention of pursuing that committee's recommendations.

D'Oyly Carte Theatre Company

11. **Mr. Brazier:** To ask the Secretary of State for National Heritage what discussions she has had on the future funding position of the D'Oyly Carte theatre company. [21902]

15. **Mrs. Lait:** To ask the Secretary of State for National Heritage when she last had a meeting with the chairman of D'Oyly Carte to discuss future funding arrangements. [21906]

Mr. Sproat: I regard the D'Oyly Carte company as one of our national cultural institutions. I recently met Sir Michael Bishop, the chairman of D'Oyly Carte, who set out the company's current position, and I very much hope that the negotiations, which are continuing, about the company's future can soon be brought to a satisfactory conclusion for all parties involved, so that D'Oyly Carte can continue to flourish and delight audiences for years to come.

Mr. Brazier: Hear, hear. Does my hon. Friend agree that if the Arts Council spent a little less than £56 million on the Royal Opera house and stopped subsidising chopped-up sheep, it would be able to help D'Oyly Carte? If he is having any trouble persuading the luvvies at the Arts Council, could he remind them of the words of W. S. Gilbert:

"But the privilege and pleasure

That we treasure beyond measure

Is to run on little errands for the Ministers of State."?

Mr. Sproat: I congratulate my hon. Friend on his knowledge of Gilbert and Sullivan. I shall make certain that the chairman of the Arts Council not only receives a copy of what my hon. Friend said but is told of the tone of voice in which he said it and the support that he received in the House.

Mrs. Lait: Does my hon. Friend agree that D'Oyly Carte is in the great tradition of light opera that has delighted the British for many hundreds of years? D'Oyly Carte in particular has delighted my family for at least three generations. Will he ensure that the Arts Council spends less on dead sheep and sleeping models and a bit more on ensuring that this great, beloved tradition receives the funding that it deserves?

Mr. Sproat: I certainly agree that the D'Oyly Carte company, which has been going for more than 100 years, and Gilbert and Sullivan are among our great musical and literary traditions. The Arts Council does much good work and it would be a great shame if one or two eccentric decisions took away from the appreciation of what it does.

Mr. Mackinlay: Is not the real test of the Minister's stewardship of the performing arts whether he can whet the appetite of young children at school? Is not the test for the Government not to favour one or two of the competing claims lobbied for here this afternoon but to ensure that young men and women and our kids at school have access to the finest performing arts—the operas and the ballets—which they are currently denied? We are a philistine state when it comes to promoting arts culture among our school children.

Mr. Sproat: One of the interesting things about Gilbert and Sullivan is that there is probably no better way of getting young people interested in music, opera and literature than this extremely accessible form of art. That is one of the reasons why we are so keen to see that D'Oyly Carte continues and flourishes.

Works of Art

12. **Mr. Carrington:** To ask the Secretary of State for National Heritage what proposals she has to retain in the United Kingdom those works of art which meet the Waverley criteria. [21903]

Mr. Sproat: When an object is found to meet the Waverley criteria, a decision on the export licence application will be deferred for a period to allow time for funds to be raised to make a compensating offer to purchase. If there is such an offer, the object will be retained. It is for potential purchasers to determine whether to make a fund-raising attempt.

Mr. Carrington: Does my hon. Friend agree that retaining the finest objects of this country's heritage is an appropriate use of national lottery funds? Will he make it clear to the national heritage memorial fund that one of its highest priorities should be to retain Waverley criteria items in this country?

Mr. Sproat: Yes, I do agree with that. I agree that the lottery should be used, and indeed it can be used for that purpose. On 20 December the national heritage memorial fund contributed some £8 million to the purchase of a Seurat by the national gallery.

Mr. Cohen: Do any of the pictures owned by the Government meet the Waverley criteria? Why have so many gone missing from Government Departments, but worst of all from the Ministry of Defence? Will he take some action to make sure that generals, admirals and top civil servants cannot just walk off with the Government's paintings?

Mr. Sproat: I am sure that the answer to the hon. Gentleman's first question—whether some Government paintings fulfil the Waverley criteria—is yes. As for his second question, he will know that some of the paintings went missing when embassies such as that in Iran and elsewhere were subject to seige by the people of the country. It is true that we need to know why certain paintings which have been in the holding of the Foreign Office or Ministry of Defence are missing. I shall certainly be asking my right hon. Friends to account for them.

Broadcasting Bill

13. **Mr. Martlew:** To ask the Secretary of State for National Heritage what representations she has received from Border Television with regard to the Broadcasting Bill. [21904]

Mrs. Virginia Bottomley: Since publication of the Bill, Ministers in my Department have discussed the Bill's

provisions with the chief executive of Border Television, both individually and as part of a delegation from the holders of the licences for the five least populous channel 3 regions.

Mr. Martlew: I have expressed before my concern that the Broadcasting Bill will allow the takeover of Border Television and result in a loss of jobs in my constituency and the loss of quality programmes. Many of the small ITV companies carry programmes that are subsidised by the high-cost network schedule programming system. Will the Secretary of State confirm that that system will continue until at the very least the end of the licensing period or beyond?

Mrs. Bottomley: It is, indeed, an important issue about which many hon. Members will be concerned. It is important to protect the position of the smaller ITV companies and the element of regional identity that they give channel 3's output. I pay tribute to companies like Border Television, which often exceeds its required regional programming output and sustains the loyalty of viewers throughout its varied licence area. I think that the hon. Gentleman will be aware that the Broadcasting Bill already allows the Independent Television Commission to require any new owner of a channel 3 licence to maintain existing levels and standards of regional broadcasting. We intend also to amend the Bill to require the ITC to disallow any change to the ITV networking arrangements which would jeopardise any company's regional output.

Mr. Harry Greenway: What view does my right hon. Friend take of Rupert Murdoch's decision to make Sky Sport's subscribers pay extra to watch the recent Bugner fight? [HON. MEMBERS: "Bruno!"] Does she regard that as the start of payment in the slot for television?

Madam Speaker: Order. That question bears no relation to the Broadcasting Bill.

Mrs. Bottomley: We are about to embark on an extremely complex Broadcasting Bill. By the time that we complete it, perhaps there will be greater clarity among all hon. Members about its provisions and the opportunities. There has been a massive amount of sport on television in recent years—it has developed rapidly. The extension, not only to subscription, but pay-per-view television is something that the new channels will make possible. What is important is to safeguard sufficient sport for the terrestrial television channels, which everyone watches. I think that their Lordships have safeguarded that in the amendment that they passed in another place.

Mr. Davidson: Is the Secretary of State aware that Border Television, which covers parts of England and Scotland, does not give Scottish politics adequate coverage, particularly Scottish questions in the House? Is she aware that many Scots living in the Border Television area are deprived of seeing Scottish Members of Parliament in action at Scottish Question Time? May I refer in particular to my mother, who is most concerned, as she lives in Galashiels, that she does not have the opportunity to see me on Scottish questions? Will the right hon. Lady do something about that right away?

Mrs. Bottomley: We are the party of the family and we would certainly want the hon. Gentleman's mother to be happy on all possible occasions. I will pass on his comments to the ITC. When it comes to Opposition Members, I am not sure whether it is a question of impartiality or of taste and decency.

National Lottery

14. **Sir Norman Fowler:** To ask the Secretary of State for National Heritage what is the total amount of money from the national lottery so far distributed in Birmingham; and if she will make a statement. [21905]

Mrs. Virginia Bottomley: To date, 54 awards totalling more than £14 million have been made to organisations in Birmingham.

Sir Norman Fowler: In the Greenwich decision a great deal of emphasis was placed on local regeneration. Will my right hon. Friend give an assurance that a similar emphasis will be placed on regeneration projects in Birmingham, such as Millennium point.

Mrs. Bottomley: I certainly can give a very strong assurance. My right hon. Friend has been a vigorous champion of the west midlands case. I understand the disappointment of those in the Birmingham area and look forward to meeting a delegation on Wednesday this week with other members of the Millennium Commission to discuss the various issues involved. The Millennium Commission is committed to the use of lottery money wherever possible to promote regeneration. There is much coastal path restoration, for example, although that is not so useful in the Birmingham area, but when the Millennium Commission considers the major Millennium point application I will undoubtedly pass on my right hon. Friend's strong endorsement.

Mr. Olner: The Secretary of State knows that Birmingham's £14 million is very different from the £344 million that has been received by London. When will she consider the difference in funding between the regions as it affects Birmingham and my constituency of Nuneaton in Warwickshire? Grants to such areas are too small when compared with those given to London.

Mrs. Bottomley: The hon. Gentleman makes a serious point. Although lottery money is not distributed on a quota basis, all distributing bodies intend that the distribution of lottery funds should be monitored over time. In some parts of the country, people have been quick off the mark in applying for grants; in others, there has been a shortfall. Over the year ahead, we will seek to stimulate applications in those parts of the country that have not received the benefits that others have.

LORD CHANCELLOR'S DEPARTMENT

Disclosure of Records

30. **Mr. Tony Banks:** To ask the Parliamentary Secretary, Lord Chancellor's Department what categories of records are not disclosed after 30 years. [21922]

The Parliamentary Secretary, Lord Chancellor's Department (Mr. Jonathan Evans): The categories of records that are not disclosed after 30 years are set out in chapter 9 of the 1993 White Paper on open Government.

Mr. Banks: Perhaps the Minister would like to explain why that is so? Why are some records not released for up

to 100 years? Why are we not allowed to know about such things as Edward VIII's Nazi past, Hess' flight to Britain in 1941 or Queen Victoria's sexual peccadilloes? How could we change the rules? Who decides that we are not to be given such information? Is it not a fact that this country does not need an Official Secrets Act but a Freedom of Information Act?

Mr. Evans: There is an Advisory Council on Public Records, which is chaired by the Master of the Rolls. The right hon. Member for Swansea, West (Mr. Williams), who is sitting beside the hon. Gentleman, is a member of the council. It gives advice on the records in question. However, the hon. Gentleman has previously complained about the suppression of papers relating to the forcible feeding of suffragettes. I have examined the files in relation to that matter; I was able to because they have been in the public domain since 1988.

Mr. Jacques Arnold: Are documents likely to be revealed in 1996 which will disclose the dirty, back-room deals done by the Labour Government, perhaps at the expense of the taxpayer and the national interest, to get the TUC to support their 1966 wage freeze?

Mr. Evans: Records remain in Departments for 30 years. Ordinarily, they are disclosed after the 30-year period has expired. If there is a request by a Department, the matter is considered by the advisory council. Previously, there was a 50-year restriction but it was subsequently reduced to 30 years.

Mr. Alan Williams: When I recently joined the council, I was surprised to find that, in addition to matters of considerable importance, many other matters remain state secrets because they are so unimportant. Is the Minister aware that the dark secrets of Government hospitality going back to 1906 are denied to the public on the ground that the Department regards them as being so unimportant that it cannot allocate staff to desensitise them?

Mr. Evans: I am aware of that point because the hon. Gentleman has met me to raise it. His real point is that it is a question of staff resources rather than of the suppression of information, which would feed the conspiratorial suspicions of the hon. Member for Newham, North-West (Mr. Banks).

Departmental Waste and Bureaucracy

31. **Mr. Flynn:** To ask the Parliamentary Secretary, Lord Chancellor's Department what new proposals he has to reduce (a) bureaucracy and (b) waste in his Department. [21923]

Mr. Jonathan Evans: A wide range of measures to improve efficiency has been introduced, including the implementation of the Department's senior management review and the introduction, over the next year, of a new management structure for the Court Service.

Mr. Flynn: As £750,000 of public money has already been spent on the defence of the three soldiers who were found guilty of the foul and cowardly murder of Louise Jensen, does the Minister not think that it would be a waste of legal aid funds if a similar sum were paid out for an appeal against their conviction? How would he explain the expenditure of our money to defend those three soldiers when constituents of mine on average or below average income have been refused legal aid?

Mr. Evans: It is not the policy of the Lord Chancellor's Department to respond to particular questions in relation to certain cases where legal aid has been granted; that matter is in the hands of the respective legal aid authorities. The Government are very much aware of the necessity to ensure that the substantial sums of public money that are expended on legal aid are better targeted. That is why we are engaged in undertaking consultation on targeting need in terms of legal aid and why, in due course, the Government will announce their response to that consultation.

Mr. Stephen: Is the Minister aware that if a Member of Parliament tries to find out whether and, if so, how, a decision by the Legal Aid Board to grant legal aid can be justified, he will be told that the facts of the case are confidential? If he then asks the ombudsman to inquire, the ombudsman will tell him that he cannot inquire unless he is asked to do so by a party to the case. I understand that even if our noble and learned Friend the Lord Chancellor were to ask, he would be told that the matter was confidential. Will my hon. Friend consider ways in which the Legal Aid Board can be made more accountable to Parliament and place a note of his conclusions in the Library?

Mr. Evans: I am sure that my hon. Friend will agree that it is important that the Legal Aid Board should be accountable, but that it is also important that its decisions to grant legal aid in specific cases should not be influenced in any way by governmental or individual political decisions. That is why, as I said earlier, the policy of the Lord Chancellor's Department not to respond on individual cases is right. My hon. Friend is quite right, however, that the Legal Aid Board must be seen to be accountable for its actions.

Court Buildings (Closure)

32. **Mr. Hinchliffe:** To ask the Parliamentary Secretary, Lord Chancellor's Department if he will review the procedure for closure of court buildings. [21924]

Mr. Jonathan Evans: The Lord Chancellor's Department has responsibility for the Crown and county court estate, and has no plans to change its procedure for considering court closure. The hon. Gentleman will be aware that the Department has no role in initiating the closure of magistrates courts, which falls to the local magistrates courts committee.

Mr. Hinchliffe: The Minister will be aware that Wakefield Crown court was closed two years ago. As that building is still in the ownership of the Government and has not yet been sold, can he give me an assurance that the building will be properly maintained, because concern has been expressed about its fabric? It is one of the finest buildings in Wakefield. Bearing it in mind that, since its

closure, it has been used nearly 300 times for court purposes, will he review the formal closure programme agreed two years ago?

Mr. Evans: It is important to distinguish the cases that are dealt with at Wakefield Crown court from the generality of cases dealt with at Wakefield county court. The county court deals with a range of civil business and will continue to do so, whereas the cases dealt with at Wakefield Crown court are those transferred to it from the Leeds area—some 262 cases according to my latest information. I am keen to ensure that the fabric of all buildings within the Government's estate are properly maintained. In view of the points raised by the hon. Gentleman, I will look into the matter.

Sir Donald Thompson: When my hon. Friend goes to Wakefield to look into the matter, perhaps he could pop on to Calder Valley to pay me a visit at the same time, because we in Calder Valley would like to thank him and the Lord Chancellor for their recent decision on the magistrates committee in Calderdale. Small market town courts are important; if we lose them, we lose a cadre of solicitors and associated people who have known a town and district for generations. That would also affect the speed of justice, but law's delay is less irksome if we keep as many courts as possible.

Mr. Evans: I am grateful to my hon. Friend for his kind remarks in relation to the recent meeting that the Lord Chancellor and I had with him to discuss the organisation of magistrates courts in his area. I draw the distinction, as I did in reply to the hon. Member for Wakefield (Mr. Hinchliffe), about the responsibility of the Lord Chancellor's Department in considering the future of county court premises as against the magistrates courts, but I give an assurance to the House that the factors that influence the Lord Chancellor's Department are primarily geared towards improving the service to court users and that, in those circumstances, financial considerations do not overrule any other considerations in relation to court premises.

Mr. Boateng: Is the Minister aware that the funding arrangements and the formula applied by the Lord Chancellor's Department in calculating grant to local magistrates courts committees is responsible for many of the closures of courthouses and courtrooms and the laying off of court staff, especially those responsible for security and the collection of awards made to victims of crime? Is he aware of the widespread anxiety on both sides of the House about the impact on the morale of the Court Service and on the interests of justice? Imposing Treasury-driven inflexible rules on the magistrates court system has led to incalculable harm and denial of justice.

Mr. Evans: I am aware of the fact that the magistrates courts committees are funded on a formula basis, and that is a necessary and essential product of the fact that we decided, following the Police and Magistrates' Courts Act 1994, to retain the independence of those magistrates courts committees.

When I had the opportunity of speaking to the council of the magistrates courts committees but a matter of days after my appointment to this post, I said that the Lord Chancellor's Department was happy to examine any anomalies in relation to the formula basis. In my judgment, the current operation of the formula properly assesses the rate of grant that should be given to most magistrates courts, but clearly some courts are disadvantaged by the way in which the formula works out and, as I said to the council, if the hon. Gentleman can propose any change in the formula that properly tackles that, I shall be happy to examine it.

Legal Aid Board

33. **Mr. Ainger:** To ask the Parliamentary Secretary, Lord Chancellor's Department how many solicitors have been prosecuted for attempting to defraud the Legal Aid Board in each of the last three years. [21925]

Mr. Evans: The number of concluded cases where solicitors have appeared at court charged with offences of fraud or attempted fraud against the Legal Aid Board in the past three years are as follows. In 1993-94, three cases; in 1994-95, no cases; in 1995-96, two cases. In addition, 19 cases are currently under investigation by the prosecuting authorities or are awaiting trial.

Mr. Ainger: Does the Minister accept that that may well be the tip of an iceberg, especially in view of the number of complaints that pass through my constituency surgery about the quality of service provided by solicitors? Is it not about time for us to ensure that the Solicitors' Complaints Bureau starts acting more like the General Medical Council, for example, with clear powers and an independent role? My constituents perceive that the Solicitors' Complaints Bureau is merely a mechanism by which solicitors investigate themselves. We should have a far more independent element in order to retain people's confidence in the system.

Mr. Evans: My response earlier that 19 cases are currently under investigation by the prosecuting authorities or awaiting trial tends to run against the thrust of what the hon. Gentleman said. Between 1990 and 1995, about 4,600 investigations have been undertaken of solicitors or of assisted persons, but decisions as to whether there should be prosecutions in individual cases must remain that of the individual prosecuting authorities.

Mr. John Marshall: Does my hon. Friend accept that, increasingly, the Legal Aid Board is regarded as a soft touch by unscrupulous solicitors and unscrupulous litigants?

Mr. Evans: I certainly agree with my hon. Friend that the legal profession, whose members, for the most part, behave with the utmost integrity, must take on board the message that those individual solicitors, small in number, who are engaged in improper activity must be rooted out and dealt with. I confirm to my hon. Friend that the Government are determined to do that.

Mr. Simon Hughes: Does the Minister have the figures for disciplinary proceedings instigated against solicitors acting in legal aid cases? Is he aware that there is considerable dissatisfaction among senior officers of the Legal Aid Board? Some solicitors are not doing their job properly and wasting a large amount of public money, as well as giving a very bad service for that reason.

Mr. Evans: As I said earlier, it is certainly the Government's view that we could be targeting legal aid expenditure very much better than we are doing at the moment. That is the philosophy that underpins the Government's approach to consultation about taking forward changes to the legal aid structure. At the same time it is important to draw a distinction between cases in which one is dealing with disciplinary proceedings against individual solicitors and allegations of fraud. Cases in which fraud may have taken place must clearly remain in the hands of the individual and independent prosecuting authorities.

Magistrates Courts

34. **Dr. Goodson–Wickes:** To ask the Parliamentary Secretary, Lord Chancellor's Department what consultations he has had over the administration of magistrates courts in London. [21926]

Mr. Jonathan Evans: My officials are in regular contact with the strategic management body which represents the management interests of all the outer London courts and with the inner London magistrates courts committee on a wide variety of issues.

Dr. Goodson–Wickes: My hon. Friend will be aware that Merton magistrates court is working very well under the current arrangements for the 20 outer London courts. Will he assure the House that when the matter is reviewed the demands of cash limits will not mean that courts will be amalgamated, thus abolishing the undoubted benefits of local autonomy?

Mr. Evans: My hon. Friend will be disappointed to hear me say that it is far too early for me to give a categorical assurance on that matter at this point. He is aware that it is the Government's policy to review the position five years after the establishment of the strategic management body, which was set up in September 1994. My Department has received reports of its operation in the past year and my noble and learned Friend the Lord Chancellor and I are currently considering them.

European Council

3.31 pm

The Prime Minister (Mr. John Major): With permission, Madam Speaker, I will make a statement on the meeting of the European Council in Turin on 29 March which I attended with my right hon. and learned Friend the Foreign Secretary.

The purpose of the meeting was to launch the intergovernmental conference aimed at preparing the European Union for the next phase of enlargement. The Council conclusions, which I have placed in the Library, set out the main areas of the IGC's agenda. We have ensured that the conclusions do not prejudice the actual negotiations in any way, nor do they contain an exhaustive list of the issues for negotiation. We shall pursue our objectives for the development of Europe as a partnership of nations, as set out in the Government's recent White Paper.

The negotiations themselves will now begin. They may well last for a year or perhaps longer. Foreign Ministers will meet every month. Their personal representatives will meet every week. I outlined to the European Council the Government's approach to the intergovernmental conference. I made it clear that our vision of Europe is built around the bedrock of the nation state. I also set out some of the areas where the United Kingdom will be putting forward proposals, and those where we have strong views.

For example, I underlined the need for the principle of subsidiarity to be enshrined in the treaty; the value of a greater role for national Parliaments; our desire to see Europe's common foreign and security policy work better while preserving its basis of unanimity; the need for further progress in co-operation in justice and home affairs without undermining its essential intergovernmental character; our opposition to any further extension of qualified majority voting; and our insistence on reforms for the working of the European Court of Justice.

I also made plain to the European Council my particular concern about the recent opinion of the Advocate General of the European Court of Justice on the working time directive and its implications for the intergovernmental conference. I said that I was not prepared to see the social chapter opt-out undermined as a result of an expansive and unreasonable interpretation of the health and safety article of the treaty. I made it clear that I would be looking in the intergovernmental conference for changes to that article to reflect our earlier understanding of its limited scope.

The European Council also held a brief discussion on employment and competitiveness. This subject will rightly be high on the agenda of its meeting in Florence in June and I set out the Government's views.

Europe has to be globally competitive. Jobs are not created by Governments—and still fewer are created by the European Union. Jobs come from the decisions of businesses in the marketplace. Job creation needs less regulation, not more; and there must be lower financial and other burdens on business, not extra impositions arising from ill-conceived European directives. There is increasing understanding of these realities among some of our European partners. I was encouraged by the discussion, but I will continue to resist strongly any suggestion that the treaty be amended to cover employment issues. Action in those areas is overwhelmingly for individual countries, not for the European Union collectively.

All the Heads of State and Government in Turin were acutely conscious of the Europewide crisis in the beef market. This is, and was treated as, an entirely separate issue from the intergovernmental conference agenda. There was no question in anyone's mind of trading help in one area against co-operation in another. I told my colleagues of the impact in this country of the ban on British beef decided in Brussels last week—particularly as it was taken on the basis of considerations other than the scientific advice.

I suggested to my colleagues that three things were now needed. First, the conditions should be created as speedily as possible to allow the ban on British beef exports to be lifted. Secondly, the specific problems of the United Kingdom beef market had to be addressed. I looked to the Union for sympathetic and speedy support for the measures necessary to return confidence and stability to the market. Thirdly, it should be recognised that this was a European, not just a British, problem.

The response of my European colleagues was, without exception, one of support. There was universal agreement that this was a Europewide problem and that a European solution was required. All Heads of State and Government who spoke expressed readiness to see the European Union bear a share of the financial burden and recalled the European Union help in the swine fever epidemic a few years ago. This was a welcome response, in tone as well as in substance, but we still have some way to go.

Negotiations continue with the Commission on the measures needed to restore confidence. My right hon and learned Friend the Minister of Agriculture is in Luxembourg today to take this forward and to attend a meeting of European Ministers of Agriculture, which is now under way.

I emphasised to my European colleagues that, with the measures we have taken, British beef is—on any normal definition of the term—safe. No one disputed this. Everyone recognised that the present crisis came not from a real health risk but from unnecessary hysteria across Europe.

At Turin the intergovernmental conference was launched with an agenda that enables us to pursue our objectives in a non-prejudicial climate. I was able to make clear to my European colleagues our strong views on certain key issues, including what is needed to tackle unemployment across Europe as well as in Britain. We achieved a notable measure of understanding and support over the beef crisis that we and our European partners face together. The need now is to turn this support into action, particularly the lifting of the export ban on British beef and beef products. That is our immediate objective. It is important and we are pursuing it urgently.

Mr. Tony Blair (Sedgefield): I shall deal with the statement in two parts: the beef issue and the intergovernmental conference proper. In relation to beef, will the Prime Minister assure us that once the Government have alighted on a package of measures, they will widely consult the farmers, the food retailers, the consumers' organisations and others to ensure that they

[Mr. Tony Blair]

can command the widest possible basis of consent? I refer to the measures already announced to improve the situation in abattoirs in particular. Is this at least already agreed among the members of the European Union?

In relation to the proposals that we have seen discussed for selective slaughter, am I right in saying that, in effect, should such a proposal be proceeded with, the choice will be between slaughtering cattle above a certain age and slaughtering cattle from particular herds? At this point, do the Government have a view on these options? Given that we agree at least on this—that whatever is done should have some basis in scientific evidence—is there a particular course that that evidence suggests?

May I ask the Prime Minister in particular what is the estimated cost of any of these options; what will be the contribution of the European Union to it; whether such a contribution will simply be a deduction from the British rebate; and when he expects a package to be agreed and the ban lifted?

May I also join the Prime Minister in endorsing the spirit of partnership shown in Turin towards Britain? He was quoted in *The Daily Telegraph* as saying to the summit:

"I wish the Eurosceptics back in Britain could be in this room now to see how European solidarity works in practice."

The Prime Minister *indicated dissent.*

Mr. Blair: I am sorry that the right hon. Gentleman denies it. I would endorse such comments, but would not it be better if he repeated those sentiments more often here in Britain to the faces of the sceptics?

On the IGC specifically, can the Prime Minister tell us what are the prospects now for reweighting the existing system of voting, which is discriminatory against the larger countries? Is he seriously saying, and will he maintain throughout, that there should be no extension of qualified majority voting in any area, not merely in areas such as defence, tax or immigration, with which we would agree, but in any area, such as industry or environment? Is it not manifestly in Britain's interests for there to be some extension of QMV in certain areas, otherwise—especially as the EU enlarges—small countries can block any progress?

The Prime Minister will note that his long statement after the summit contained no mention of the common fisheries policy. Is reform of that policy on the agenda, as he did say, I think, that he would put it on the agenda for Turin? Perhaps he will comment on that.

We welcome the Council's decision to make fighting unemployment a priority for the European Union, and believe that such action can be taken individually and collectively within Europe. Is not Britain's interest in this clear given the massive job insecurity here with 9 million people having suffered at least one spell of unemployment since the last election and with unemployment—particularly long-term and male unemployment rates—still higher than in many of our competitor countries? Does the Prime Minister not agree with President Chirac today that laissez-faire and more deregulation are not sufficient for job creation?

Will the Prime Minister tell us just what is the Government's position on a referendum for a single currency? First, the Cabinet meeting two weeks ago was supposed to resolve it, then it was to be announced at Harrogate. What is happening apart from the daily combat in newspaper briefings between the respective combatants? If it is true—apparently it is—that, in any referendum, the Prime Minister will enforce Cabinet collective responsibility, will he tell us now, with a straight face, whether in any circumstances his Chancellor and Defence Secretary, to name but two, would ever agree? If Sir James Goldsmith demands more concessions, will they be forthcoming?

Is not the lesson of the weekend that Britain gains most from Europe by a spirit not of perpetual isolationism but constructive co-operation, and that that is the only way for Britain to lead in Europe and to be a source of strength to itself and to others?

The Prime Minister: I shall seek to deal with the matters covered by the IGC, although I notice that a number of the matters raised by the right hon. Gentleman had nothing whatever to do with it. They were not discussed in the IGC and, from the broad smile on his face, it seems that the right hon. Gentleman knows that very well. I hope that he enjoyed his mischief.

I deal first with beef. When we have concluded, of course we shall wish to consult on a package. By that I do not mean a long period of formal consultation. We need to move speedily. Of course we shall consult speedily with the people who are predominantly interested in this, but it is in the interests of everybody in the beef industry to reach an agreement with our European partners which we and they think will restore confidence in the beef industry. Confidence is the point. It is not so much a question of public health but confidence that now needs to be addressed, and clearly we need to do that speedily in everyone's interests.

On the measures previously announced, of course they are agreed with our European partners.

Selective slaughter may prove necessary. Two elements are involved. First, there is the need to ensure that milking herds that have finished their milking lives—that are spent—do not then enter the food chain. That does, of course, involve slaughter. Secondly, there is the question of whether any further selective slaughter should take place. Clearly, we need to base that decision on science as far as is practicable. We are looking at some novel ways of ensuring that we find the right beasts if it is deemed necessary to proceed.

It is impossible to give an estimate of the resources until the determination of the right method is concluded. As soon as that is known, I shall be able to give the right hon. Gentleman an estimate.

We have made it clear that we need the ban to be lifted as speedily as possible, not only in the interests of the United Kingdom. Beyond Europe, many countries are interpreting the ban on British beef as an unwillingness to import any European beef at all. A number of our European competitors are also finding that their beef is not being exported. It is a European problem, and those countries, as well as us, will need to consider the question speedily.

The quotation that the right hon. Gentleman used was amusing, but not accurate.

Mr. Andrew Mackinlay (Thurrock): Share it with us.

The Prime Minister: If I wasted my time responding to every inaccuracy that appears either in the House or

beyond, I would have the pleasure of a 24-hour-a-day sojourn at the Dispatch Box. *[Interruption.]* As for the intergovernmental conference—*[Interruption.]*

Madam Speaker: Order. I should be grateful if the hon. Member for Workington (Mr. Campbell-Savours) would stop shouting from a sedentary position and listen to what the Prime Minister has to say.

The Prime Minister: As for the intergovernmental conference, we are pursuing the question of reweighting the voting, and I anticipate that we shall have the support of a number of other states in achieving that. Britain is not likely to be isolated in this regard. It will be a matter of some importance, especially as the Community enlarges. I anticipate success. I do not anticipate any significant extension of qualified majority voting, and it is possible that there will be no single extension at all. We are not seeking to accept any. What may turn up in negotiations lies ahead; at present, we do not intend to accept any extension of QMV whatever. I hope that that is clear enough for the right hon. Gentleman: no extension of qualified majority voting.

As for fisheries, I said earlier that the list of matters to be dealt with in the IGC—*[Interruption.]* If the right hon. Member for Sedgefield (Mr. Blair) would listen, he might know the answer.

I said in my statement that the list was not exhaustive. We will be looking for changes in the common fisheries policy, particularly to deal with quota hopping. I have set that out in the past. There may well be other matters, not yet identified either by us or by other nations, that will be dealt with at the conference. The list of matters set out at Turin is in no sense necessarily exhaustive either for us or for others.

Of course, by co-operation, there are things that the European countries can do collectively in regard to unemployment. We have no objection to that; what we strongly object to is the suggestion that this should become a European competence with legislation taken—perhaps by qualified majority vote—as part of the treaty. We are not prepared to have employment measures inserted in the treaty. Of course we will co-operate when it is reasonable and sensible to do so, but overwhelmingly we think that that is a matter for individual countries, not for the Community as a whole.

Mr. Robert N. Wareing (Liverpool, West Derby): You have not been very successful, have you?

The Prime Minister: The hon. Gentleman says that we are not very successful. We are a good deal more successful than any other major European country in bringing down unemployment. No other major European country has had unemployment falling as steadily as we have over the past two and a half years; no other major European country has had unemployment as low as ours over the past two and a half years; and no other major European country has had a higher proportion of its population in work as ours over the past two and a half years. If the hon. Gentleman wishes to compare employment records, I am happy to do so, because ours is undoubtedly a good deal better than anyone else's—especially those of the socialist Governments across Europe that we have seen operating in the economic climate of the past few years.

As for matters related to a referendum, I will let the right hon. Gentleman know as soon as I am in a position to do so and I will not be diverted on that point now.

One point I missed—as the hon. Member for Workington (Mr. Campbell-Savours) reminded me from a sedentary position with his usual compulsive charm—was the question of the cost. The cost is a net position between the total that we pay in and the total that we get out. Where the European Union provides us with assistance, in the convoluted system that the European Union works, a portion of that finds itself deducted from our rebate, but there is a net significant advantage to the United Kingdom and any help from the European Union in that sense will of course be welcomed.

Sir Peter Hordern (Horsham): In dealing with the employment aspect of the intergovernmental conference, has my right hon. Friend read the latest report from the Bundesbank review, which refers to the need for differentiation of wages in the German economy and to the high level of social costs and taxes in Germany being the reason for high unemployment levels? Will he give an undertaking that Britain will continue to have the lowest social costs in the European Union and that the future of the single market and of the European Union depends on having low social costs, which are necessary for it to be competitive both with the United States of America and with the far east? If that is not done, the single market will not succeed.

As for taking advice from the Opposition on matters of beef, does my right hon. Friend agree that they have been much more interested in playing party politics than in the livelihood of thousands of people throughout this country?

The Prime Minister: I am grateful to my right hon. Friend. On his last point, it is a matter not so much of my having noticed that, but of the 650,000 people who work in the beef industry having noticed it.

On my right hon. Friend's earlier point, clearly he is right about the relationship between employers' total costs and employment. He referred to differentiation of wages in Germany, but I should make the point that this is largely to do with other non-social costs. As the Organisation for Economic Co-operation and Development pointed out, in terms of net wage levels after tax, the UK compares favourably with all our European Union partners. The UK worker's net pay and what it will buy are good value compared with such pay in other European countries, which have become increasingly uncompetitive because of the amount of money over and above wages that every job costs employers. For every £100 in wages, an employer in this country faces extra on-costs of £18, but in some European countries, that figure goes up to as much as £44. On that basis, it is unsurprising that, in many European countries, there are fewer jobs than here.

As for the single market, my right hon. Friend is entirely right. The single market is immensely important for prosperity both here and throughout Europe. In many areas, it is not yet completed. We must ensure that it is completed. We shall continue to work for it to be so.

Mr. Paddy Ashdown (Yeovil): When the Prime Minister told us that success always derived from less regulation, did he have in mind as an example the

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origins of the bovine spongiform encephalopathy crisis? He knows that we disagree with the Government's policy on Europe. We believe that Britain is paying—including in the BSE crisis—a high price for that policy.

If the Government have spent the past 17 years making enemies in Europe, it is not surprising that, when they are in difficulties, friends are initially difficult to find, but the Prime Minister will understand why, at this stage, the nation will be concentrating in particular on the impact of the BSE crisis. It is greatly to be welcomed that the European Community has now understood that this is a problem for all of Europe, not just Britain. This is one of those issues in which Europe is not the problem, as many of his Euro-sceptics would suggest, but the solution. The fact that there is now European support does not absolve the Government from taking action.

As the Government have, in my view, misjudged the extent of the action necessary last Monday, there is now grave danger in every single day's delay inflicted on those who are waiting for word from the Government about what to do next. Having spent the weekend listening to them, I am especially concerned about the position of the owners of small abattoirs and small cattle hauliers. Carcases are now backed up in cold storage, and there is nothing further that can be done unless the Government will act. Will the Prime Minister at least give us an undertaking that, whatever Europe may or may not do, the Government will announce what they are going to do before the House rises?

The Prime Minister: The right hon. Gentleman tells us in one moment that Europe is the answer and then advises us not to discuss matters with Europe but perhaps to act unilaterally and make an agreement more difficult. He really needs to make up his mind which of his two European hats he is going to wear.

As for the right hon. Gentleman's remarks about deregulation, they are just plainly wrong. He is plain wrong on that point. That argument is based on a totally false premise. The right hon. Gentleman is flatly wrong—

Mr. Gordon Prentice (Pendle): He is not wrong.

The Prime Minister: There is no point in the hon. Gentleman shouting like a parrot, "He is not wrong." The right hon. Gentleman happens to be wrong. That is the fact of the matter, and there is nothing whatever that one can do about it.

As for Europe, it is not a question of our having enemies in Europe. The right hon. Gentleman does not see this matter in the right light. People in Europe do not expect us to agree with them on every issue. They know that we are a Conservative, not Liberal, Government. They know that we will fight for the national interest and that we shall stick to that. Being in a kindly mode, I shall spare the right hon. Gentleman a list of quotes which shows that the European policy of the Liberal party has shifted from pillar to post almost on a daily basis, or almost between member and member. The right hon. Gentleman has the grace to blush, so I shall spare him on that account—*[Laughter.]* By popular acclaim, I shall spare the right hon. Gentleman.

We are well aware of the difficulties faced by abattoirs and others, but I ask the right hon. Gentleman to accept that, for reasons that are important for abattoirs too, it is necessary to reach these agreements with our European partners; otherwise the meat passed through the abattoirs would not be acceptable to our European partners. If we cannot reach agreement before the House rises, it is not possible for us sensibly and credibly to announce an agreement to the House. That is what my right hon. and learned Friend is doing in Luxembourg at the moment. There will be no delay—as soon as we can reach an agreement, we shall make an announcement, but it has to be reached with our partners and we all have to be satisfied with it.

Mr. John Redwood (Wokingham): Given the daily damage being done to the fishing industry, when will the Government table proposals, how will they go about winning support for them from our partners, and would they consider unilateral action in the absence of any support?

The Prime Minister: I said a few moments ago that we intend to raise the common fisheries policy at the intergovernmental conference. I do not share the view that opting out of the common fisheries policy would be in the interests of the fishing industry in this country. The great danger of that would be that, in a measurably short period of years, stocks would be so over-fished that there would be no fishing industry left. We need to address the grievances thrown up in the past few years—especially quota-hopping. I told the House that we shall most certainly raise those matters at the intergovernmental conference and seek to reach an agreement. It will be very difficult to reach such an agreement, but I believe that we shall be successful because unanimity is necessary for an outcome to this conference.

Mr. Peter Shore (Bethnal Green and Stepney): The IGC is a revision conference for the Maastricht treaty. Is it not therefore extraordinary that the most controversial, unsatisfactory and job-destroying features of that treaty—I refer to economic and monetary union and the convergence criteria for a single currency—are not on the conference's agenda? Is not it even odder that the problem of unemployment, which is on the agenda and which the Prime Minister says is of the highest priority, should be considered although the direct relevance of the convergence criteria to the creation of unemployment in Europe is not being considered at the same time?

The Prime Minister: I noticed restrained enthusiasm among Opposition Front-Bench Members for what the right hon. Gentleman had to say. Let me deal with each of his points in turn. The IGC is primarily not a revision conference for Maastricht but a preparation for enlargement of the Community. That is the essential reason for having the IGC. Economic and monetary union is of course vital and the decision made on that will be very important for a whole range of economic matters, including, in my judgment, employment. The fact that that is not being addressed at the IGC is because of the conference's character. It is being discussed in parallel and will continually be discussed in parallel as the IGC proceeds. So there is no question of final decisions having

being made on it; there is no question of it not being revisited as events move forward. We have to make our decisions on whether it is appropriate to go ahead or not, but it is not appropriate to the fresh set of negotiations at the conference. The matter will be seen as being carried on in parallel.

Mr. Michael Colvin (Romsey and Waterside): On enlargement and the reweighting of qualified majority voting, will my right hon. Friend confirm that our Ministers will continue to work towards ensuring that those countries collectively that are net beneficiaries from the European budget will not be able to out-vote countries that are net contributors to the budget, such as Britain, because if they did there would be no way of controlling the growth of that budget?

The Prime Minister: My hon. Friend touches upon a most important point. I can confirm that that will be one of our objectives as we seek the reweighting of voting weights for decision making in the European Union. One of the problems in the early 1980s was that with so few net contributors, there was a very real risk—in weight of numbers, and often it seemed in weight of votes as well—that provided that one of the major countries abstained, a minority view was able to prevail. That is not a satisfactory way in which to run the European Union, and that is why we need reweighting.

Mr. David Trimble (Upper Bann): I hope that tomorrow's agriculture statement will contain a series of measures that will result in the immediate lifting of the European ban on beef exports. Such a measure is absolutely essential for the meat industry in Northern Ireland, which is so heavily dependent on exports. Does the Prime Minister agree that such a measure, while necessary, is not sufficient, because there is no guarantee that when the ban is lifted the markets that we had in Europe and elsewhere will return immediately? Will not it therefore be necessary to follow matters up with a drive on marketing beef, and especially a scheme that will emphasise the undoubted quality of so much of the beef production in Ulster and Scotland? Will that not be absolutely essential after tomorrow?

The Prime Minister: I agree with the hon. Gentleman about the importance of the beef industry to Northern Ireland. It is clearly critical to Northern Ireland's economy. My right hon. and learned Friend the Secretary of State for Northern Ireland and I are acutely aware of that fact and the possible need for assistance. We too are seeking the earliest possible lifting of the ban. I would not like to indicate to the House today that I think that it is likely to be achieved by tomorrow, because we first need a Commission proposal to the standing veterinary committee, then a positive decision by member states' representatives on that committee, and then endorsement of the decision by the full Commission. We need that as soon as possible and we shall be pressing for it as soon as possible. As the hon. Gentleman realises, we need that agreement across Europe or there will be very real difficulty. We are seeking it as speedily as possible. It is not something that we can obtain unilaterally. Any indication that the hon. Gentleman cares to give directly to the European Commission and others of the importance of the matter will obviously be very welcome. We shall certainly press it very hard.

Mr. Graham Riddick (Colne Valley): Is not it quite clear that there is a great desire among the British people that the Government should not hand over any further powers to the European Union and its institutions at the IGC? Will he confirm that that is indeed the Government's approach? Is not the reason why a number of continental Governments want the IGC to last for more than a year that they hope—it is a forlorn hope—that the Labour party will be elected? In those circumstances, a socialist Government would undoubtedly hand over more power to Brussels and the European institutions.

The Prime Minister: I saw written in one of our great newspapers this morning—it may or may not be accurate—that one of the federalist Prime Ministers indicated that he would like to be dealing with a Labour Government because they too would be federalist, in the sense that we do not wish to see, and centralist, and would not stand up for the interests of the United Kingdom. That was allegedly said by one of the Prime Ministers whom the right hon. Member for Sedgefield (Mr. Blair) or his nominee would meet on occasions when socialists across Europe meet to decide policy. If that is the case, one wonders what private promises may have been given about Labour's negotiating position. We know that the manifesto agreements signed by the right hon. Member for Copeland (Dr. Cunningham) some time ago would be an absolute disaster if they became the policy of any British Government.

We seek to ensure that we remain a Europe of nation states, that we accommodate the enlargement of the European Union, which is the most important matter that lies in front of the European Union at the moment, and that we do so while maintaining the robust independence of parliamentary procedures that we have traditionally enjoyed.

Mr. Tony Banks (Newham, North–West): Is it not grotesquely unfair that some poor old cow, who has given a life of service to human beings in terms of delivering milk, ends up with a bolt through her head and is chucked into a fire? I know that one can think of a recent political equivalent, but the situation is no better for that.

Is there any chance during the IGC that we can change the definition of the word "animal" so that we can extend animal welfare provisions to farm animals and treat them as sentient beings, not just as any other agricultural product?

The Prime Minister: We are seeking some changes in animal welfare in the intergovernmental conference, as the hon. Gentleman may be, but not, perhaps, the change that he has in mind. I am prepared to consider his suggestion, but not for very long—and, having considered it, I reject his proposal. None the less, we are certainly seeking improvements in animal welfare generally.

Sir Michael Spicer (South Worcestershire): While warmly welcoming my right hon. Friend's commitment for further federalism in Europe, may I ask him what specific proposals—[HON. MEMBERS: "What?"] I should

[Sir Michael Spicer]

have said "against". [HON. MEMBERS: "You didn't."] I apologise. It would be out of keeping with four years of speeches if I had not said "against".

What specific proposals has my right hon. Friend tabled against the repatriation of powers—*[Interruption.]* I seem to be getting it all wrong today. What proposals has he tabled in favour of the repatriation of powers to Parliament, bearing in mind the fact that the Turin communiqué—I will get this bit right—reaffirms the aquis communautaire?

The Prime Minister: We set out our negotiating position in the White Paper that the House saw a few days ago and my hon. Friend will know what it is. In the negotiations, we can take further measures if we choose to, but for the moment, the measures we have decided on are those set out in the White Paper.

Mrs. Margaret Ewing (Moray): Since the Prime Minister's return from Turin, has he, like me, had an opportunity to study the report compiled by the Trustee Savings bank of Scotland on the significance of agriculture and the impact that the BSE problem is having on about 21,500 jobs? Agriculture is a fundamental part of our economy. Obviously, the Prime Minister has not had an opportunity to study the report, but I will ensure that he has a copy of it.

Given the comments already made, will the Prime Minister recognise the importance of the quality assurance scheme that applies to BSE-free herds? In this context, will he expand on his comment to a reporter from *The Herald* at the weekend in Turin that there was a possibility of looking at a preferential scheme that would enable herds that were already BSE-free to make an early return into the competitive market?

The Prime Minister: That is not precisely what I said, but it is fairly close. The point I was making—a general point, and not specifically to anyone from *The Herald*—is that some herds across the United Kingdom have never had a case of BSE, and we will be examining whether there is a way in which we can take account of that in the decisions that may have to be reached in the next few days. Clearly that is important, and we believe that we should take account of that fact. We are discussing the matter with the Commission and with our partners at the moment. I have not seen the TSB report to which the hon. Member for Moray (Mrs. Ewing) refers, but I am aware of the importance of the beef industry to Scotland, as well as to Northern Ireland and elsewhere. That is why we are seeking a comprehensive outcome that will assist in a return of confidence as speedily as we can.

Sir Wyn Roberts (Conwy): While complimenting my right hon. Friend on the progress made in Turin, may I ask whether he detected during his discussions on unemployment any sign of our European partners embracing the policies that have brought unemployment down in this country while it has risen in so many European countries? Did he detect any sign that they would stop handicapping competitiveness—as, I believe, the French were proposing?

The Prime Minister: There were mixed views on the issue among our European partners. There would have been a single collective view a year or so ago in favour of more social expenditure of one sort or another, but that is no longer the case. There are those who still hold to that proposition, but a number of others who have seen what has happened to unemployment in the past two years here and elsewhere realise that they must hold down the levels of social expenditure over and above wages. That will be absolutely necessary if Europe is to reduce the 18 million adults currently unemployed within the EU.

Mr. Harry Barnes (North–East Derbyshire): In accountancy matters, proportions can be worked out exactly and precisely. Can we therefore be told what amount of our own money will be returned to us by the EU in connection with its assistance on BSE?

The Prime Minister: As soon as we know precisely the areas in which the aid will be and its quantum, the answer will be yes. But in the absence of that, it is difficult to be precise in what is a complex system. Although there will be a substantial contribution by the EU, there are areas—for example, if there were to be a selective culling programme—where some of the overall costs would be borne by the United Kingdom. Some of the EU contribution would be netted off against the rebate, but it is not possible to be precise until we know the scale and terms of the contribution, and I would not wish to mislead the hon. Gentleman.

Mr. John Wilkinson (Ruislip–Northwood): In relation to qualified majority voting—against which the Government have resolutely set their face—will my right hon. Friend seek a modification of QMV as regards fisheries policy? When the EU is enlarged—as we hope it will be—will not the fishing fleets of, for example, Poland seek access to the common resource of the British fishing grounds to the potential detriment of British fishermen?

The Prime Minister: A lot may depend on precisely what negotiated changes we may be able to make in the common fisheries policy, but for the moment we have proposed not to withdraw QMV from where it presently exists, but to ensure that it is not extended to areas in which it has not yet been present.

Mr. Mike Gapes (Ilford, South): If the Prime Minister is so opposed to moves towards a single European currency, why has he signed up to a statement that commits all members of the EU to the full implementation of the treaties, and states that all new member states that come in following enlargement will be subjected to the aquis communautaire, which will apply to all members equally—including a commitment to a single currency?

The Prime Minister: Very simply. If the hon. Gentleman had observed what had happened in the European Union in the past few years, he would have noticed that Britain is not committed to joining economic and monetary union. We have an opt-out, as indeed now does Denmark. Our position is different from that of the rest of the European Union. For that reason, we find ourselves in a wholly better position than anyone else. If the hon. Gentleman understands that, he will see that it precisely meets his point.

Mr. William Cash (Stafford): My right hon. Friend referred in the IGC to questions of principle. Given that

the presidency conclusions, as the hon. Member for Ilford, South (Mr. Gapes) said, refer to economic and monetary union, and given that in our own White Paper it is stated that we will not press ideas that will not gain general acceptance from the other member states, does my right hon. Friend intend to reject the single currency and to ensure that it is not inflicted on the United Kingdom?

The Prime Minister: The single currency will not be a matter of discussion, as I said to the right hon. Member for Bethnal Green and Stepney (Mr. Shore) some time ago, in the intergovernmental conference itself. It will be a matter for discussion in parallel with the IGC. Member states will have first to determine whether they meet the criteria to join and then indicate some time before 1999—if that is the date on which people proceed—whether they propose to join. At this stage, no one yet knows whether that date of 1999 can be achieved. Many people, myself included, doubt that it can satisfactorily and safely be achieved.

At a later stage, a decision will need to be made as to which countries qualify and which countries, having qualified, decide whether or not to proceed. We are in the unique position that if we qualify, we do not have to proceed. Other countries are in the position that if they qualify they are committed to proceeding by the Maastricht treaty. That is not our case. So it will not be discussed in the IGC, as my hon. Friend surmises, but outside it, and we are free to leave making the decision until a very late stage whether or not we think it is right for this country to take part.

Mrs. Ann Clwyd (Cynon Valley): What action is the Prime Minister taking to urge a co-ordinated European approach to arms export controls? Does he agree that that would be the first step towards international control of arms exports and to preventing any country in future from supplying Saddam Husseins?

The Prime Minister: I do not think that that is a matter for the European Union. It is a matter for individual Governments.

Sir Hector Monro (Dumfries): Does my right hon. Friend accept that all those in farming and the processing industry were very glad indeed that he was able to make the beef crisis the top priority in his visit to Turin? Could he keep the momentum going? If we are able to get firm decisions by Tuesday or Wednesday, will he make an announcement, even during the recess, because every day counts in terms of bringing confidence back to the industry and the consumer?

The Prime Minister: I assure my right hon. Friend and the House that the moment we have a conclusion, we will announce that conclusion. If it is in the recess, it will be open to the House to demand a statement from Ministers upon the return of the House. I think that everyone will accept that it is in the interests of the industry to make an announcement as soon as a conclusion is reached. That is our intention.

Mr. Ieuan Wyn Jones (Ynys Môn): The Prime Minister has recognised the importance of the livestock sector to Scotland and Northern Ireland. I am sure that he is also aware of the importance of that sector to Wales, where more than 90 per cent. of agricultural activity is involved in the livestock sector. He has already understood the need for urgent action in terms of a compensation package with our European partners, but can I urge him to do something urgently this week to assist the abattoir owners? He will know that they are laying off workers almost daily. Some of them face enormous financial costs. Is there something that he can do immediately to assist their plight?

The Prime Minister: One of the matters under discussion this morning—I have not yet had a report of how far the discussions have reached, as they are still proceeding—was the allied industries such as the slaughtering industry and abattoirs. I cannot yet tell the hon. Gentleman what has been decided in those discussions. I have not yet heard. But I assure him that the problems of that particular industry have not been overlooked.

Mr. Tim Rathbone (Lewes): Will my right hon. Friend confirm that nothing discussed at Turin could conceivably be made part of a referendum in this country? Will he further confirm his disinclination ever to hold a referendum, which he said earlier was not at all part of robust parliamentary procedures? Will he take it from me that many Conservative Members support his initial and present position that no decision has to be taken for many years to come?

The Prime Minister: I do not think that anything is remotely likely to come out that could possibly justify a referendum. We have said that on a number of occasions and I still believe it to be the case. The one area in which there might be a case for a referendum is in any decision taken to join a single currency, since that clearly is not a matter that is likely to be determined before a general election. I can conceive of nothing in the intergovernmental conference that would require a referendum.

Terrorism

4.19 pm

The Secretary of State for the Home Department (Mr. Michael Howard): With permission, Madam Speaker, I should like to make a statement about the need to amend the prevention of terrorism Act to strengthen the ability of the police to protect the public against the threat from terrorism.

This House voted to renew the prevention of terrorism Act on 14 March. I spoke then of my sadness and anger that these measures are still necessary to defend the citizens of this country from those who are prepared to engage in acts of terror—to kill and maim in pursuit of their ends.

We face a real threat of a continued IRA campaign of murder. No one should be deceived by the fact that for a few weeks we have had a lull. The IRA ceasefire ended with the South Quay bomb. It was followed by other bombs, one of which was planted and exploded after the announcement of a date for all-party talks. We face a serious threat from terrorism. It is the Government's clear duty to take every step possible to meet that threat.

In recent weeks, I have discussed with senior police officers whether there were any additional powers that would strengthen their ability to safeguard the public. I have listened carefully to points that they made. The proposals that I am announcing today are designed to meet the real needs that they have identified. The additional powers will be accompanied by proper safeguards to ensure that they are used only where there is a real operational requirement. They are essentially practical and technical measures, but I believe that they are necessary changes, which will increase public safety.

I shall be seeking five additions to the powers at present available to the police under the PTA. Four of them will give the police in Great Britain powers comparable to those already available to the police in Northern Ireland. The fifth will extend to the whole of the United Kingdom.

I have discussed these proposals with Opposition spokesmen. I recognise that all parties have had little time to consider the detail. The hon. Members for Upper Bann (Mr. Trimble) and for North Antrim (Rev. Ian Paisley) have indicated to me that they will support these measures, and I am grateful for that support. I particularly welcome the co-operation of the hon. Member for Blackburn (Mr. Straw) and his recognition that these measures represent a responsible and appropriate reaction to the continuing terrorist threat.

The additional powers requested by the police are these. First, I propose to extend the powers of the police under section 13A of the prevention of terrorism Act, to enable them to stop and search pedestrians for terrorist items. That fills a lacuna in the existing powers under section 13A.

That section currently enables an assistant chief constable to authorise searches within a designated area and for a specified time, up to 28 days. Within that area, police officers may then stop pedestrians and search any baggage that they may be carrying, and they may stop a vehicle and search both the vehicle and the people in it. They do not, however, have the power to search a pedestrian to look for devices that he may have concealed about him, for example in a jacket pocket. I believe that they should now be given that power.

I propose that the new power to search pedestrians should be subject to all the safeguards that at present govern the search powers under section 13A. It would be exercisable only after an assistant chief constable had designated a specified area and only for a specified period of up to 28 days. In addition, I propose that authorisation of the power to search pedestrians would require confirmation, within 48 hours, by the Secretary of State. Prosecution for any of the offences connected with the new power would proceed only on the agreement of the Director of Public Prosecutions.

It may reassure the House to know that the existing stop-and-search powers have been invoked only in the City of London and in the Metropolitan police district in the aftermath of South Quay. In the City, the powers have been applied for the full 28 days allowed on each occasion; in the much larger Metropolitan police district, they have been applied for periods of between seven and 10 days at a time. They remain in force at the moment, and rightly so.

The police are fully aware that this new power will need to be exercised with circumspection and sensitivity. I shall ask the independent reviewer of the prevention of terrorism Act to comment particularly on its use in his annual report on the operation of the Act. As the House will know, existing stop-and-search powers under the PTA are subject to the relevant Police and Criminal Evidence Act code of practice on stop and search. The same arrangements will apply to the new power.

Secondly, I propose a new power for the police to seek a magistrates' warrant to search a list of non-residential premises for material likely to be of use to a terrorist organisation. At present, a warrant can be sought only for a search of particular premises where there are reasonable grounds for believing that terrorist material is present on those premises. The new power would enable the police to respond to intelligence that, for example, a bomb was stored in a lock-up garage or lorry park in a particular area. The magistrates could grant a warrant enabling the police to search a list of premises in that area. The warrant would be issued following an application by a police officer of at least superintendent rank and would have to be executed within 24 hours.

Thirdly, I propose a power for the police to search unaccompanied freight at ports. The law as it stands allows customs officers to search freight to seize contraband, but does not allow the police to search freight for anti-terrorist purposes. That is plainly an anomaly that needs to be remedied. It is the only one of these powers that is not at present available in Northern Ireland. I therefore propose that it should be provided to police across the United Kingdom.

Finally, there are two areas in which the current common law powers require clarification. I propose a new statutory power for the police to cordon off an area. That would be used to restrict access while the police looked for a bomb or while they were collecting forensic evidence following an explosion or following the discovery of a bomb. The current common law powers are uncertain, both as to their extent and as to the length of time for which they can operate. I believe that that uncertainty should be removed.

The power to set up a cordon would be subject to the authorisation of a police officer of superintendent rank. It would be of limited duration. Prosecution for any of the connected offences would proceed only with the consent of the Director of Public Prosecutions.

I also propose a power for the police to impose temporary parking restrictions in response to a general threat to targets such as Government buildings or royal residences. Again, the current common law powers are uncertain and need clear statutory underpinning. That power would also be subject to the authorisation of an assistant chief constable and would be of limited duration. Any resulting prosecutions would be subject to the consent of the Director of Public Prosecutions.

These are clear, practical proposals. The exercise of these powers will be subject to close scrutiny. As amendments to the prevention of terrorism Act, each of the new powers will be subject to annual examination by the independent reviewer and, of course, the Act lapses in its entirety unless it is renewed each year. To help ensure that the police use these additional powers responsibly, I shall issue the appropriate guidance.

I believe that the need for these powers is urgent. I shall accordingly introduce a short Bill tomorrow, which I hope will receive Royal Assent before Parliament rises for Easter. Copies of the draft Bill are available in the Vote Office.

Let me summarise the effect of the new powers. They will enable the police to search pedestrians in a designated area; to search listed non-residential premises; to search freight at ports; and to impose cordons and temporary parking bans. They are sensible practical measures that will be subject to important safeguards. They will help the police to protect our towns and cities and to save lives. I ask the House for its co-operation in placing them on the statute book with the minimum delay.

Mr. Jack Straw (Blackburn): The House has always, and rightly, been very reluctant to allow its normal time scales and procedures to be bypassed, as hasty legislation all too often turns out to be ill drafted and unclear.

We should naturally have preferred rather longer notice than the Secretary of State has given us, and we certainly would have appreciated mention of the proposals during the debate on the prevention of terrorism Act three weeks ago. Any additional anti-terrorist powers are bound, by their very nature, to cause unease. As the Secretary of State indicated in his statement, however, we shall not stand in the way of the timetable motion, and we are satisfied from the security briefing that we have received about the case that is made for the Bill.

The House will, I believe, have little difficulty with four of the five measures contained within the Bill. We accept that it is unfair to the police to expect them to use vague common law powers when they have to cordon off an area during a bomb threat, or to impose parking restrictions around vulnerable buildings. It is plainly right that the police should have the power to search unaccompanied cargo—a power that will simply place the police in a similar position to that enjoyed already by Customs and Excise.

As to the granting of search warrants, will the Secretary of State confirm that the power that he seeks in the Bill will be explicitly restricted to non-residential buildings, typically lock-up garages or industrial units? As for the extension of the powers in section 13A, the Secretary of State will be aware that in 1994 we supported that change to the law, not least because those powers can be triggered only when a police officer of assistant chief constable rank or above designates an area as one subject to a terrorist threat, and because those limited powers can apply only for a specific period. As the Secretary of State confirmed, in practice there has been one only occasion that has triggered those powers—that following the Canary wharf bomb in early February.

Will the Secretary of State confirm that although the current difference in search powers between vehicle occupants and pedestrians may appear anomalous, there are bound to be anxieties about how a power allowing outer-body searches of pedestrians may be used? I am glad that the Secretary of State has recognised that by including additional safeguards in the draft Bill, which explicitly limit searches to outer garments, hats and shoes, and which require his personal authority for any use of that power for more than 48 hours.

Will the Secretary of State consider two further safeguards, first, that he should report to Parliament regularly about the use of that power and, secondly, that the use of that power should be subject to clear monitoring, as is the parallel power in the Northern Ireland (Emergency Provisions) Act 1991?

Will the Secretary of State confirm that his statement is precipitated by the resumption of violence by the Provisional IRA? Will he join me in calling for the immediate resumption of the ceasefire of August 1994? Finally, we shall continue our support for the all-party negotiations that begin on 10 June, which in our view represent the only way to secure a lasting peace in these islands.

Mr. Howard: I am grateful for the tenor and content of the response by the hon. Member for Blackburn. He asked for a number of specific assurances, all of which I think I am able to give him.

The hon. Gentleman asked for confirmation that the power in relation to the granting of search warrants will be explicitly restricted to non-residential buildings, typically lock-up garages or industrial units. I can confirm that that power will not apply to residential buildings. He asked for recognition that there would be anxieties about the power to allow outer-body searches of pedestrians. I accept that there are such anxieties, which is why I have introduced the particular safeguards to which the hon. Gentleman referred, including the additional safeguard of authorisation by the Secretary of State.

The hon. Gentleman asked for two further safeguards—the regular reporting to Parliament about the exercise of the power and the need for the use of that power to be subject to clear monitoring. I am happy to be able to give him assurances that his requests for those further safeguards can be met.

Finally, the hon. Gentleman asked for confirmation that my statement has been precipitated by the resumption of violence by the IRA—it has indeed. He asked me to join him in calling for the immediate resumption of the ceasefire of August 1994, and I am happy to do so.

I welcome what the hon. Gentleman said about the Labour party's continued support for the all-party negotiations that are due to begin on 10 June, and I agree with him that that is the only way to secure a lasting peace in these islands.

Mr. Michael Jopling (Westmorland and Lonsdale): Does the Home Secretary understand that what he has announced this afternoon will be broadly welcome to the

[Mr. Michael Jopling]

mass of people in this country? Will he give an undertaking that if, in the use of these new powers, drugs, stolen property, offensive weapons or other smuggled materials are discovered that are nothing to do with terrorism, those discoveries will be followed by prosecutions where that is possible?

Mr. Howard: I can indeed give my right hon. Friend the undertaking that he seeks. Where prosecution is appropriate following the discovery of such items, it will take place. It would be absolutely nonsensical, were it to be the case that a search for terrorist items proved unsuccessful, but a large amount of cocaine was found in the pocket of someone apprehended, to ignore that discovery. I have no intention of permitting that to happen, so I am happy to give my right hon. Friend the assurance for which he asked.

Mr. A. J. Beith (Berwick–upon–Tweed): Does the Home Secretary recognise that Liberal Democrats have consistently voted in favour of renewal of the prevention of terrorism Act and will support the additional powers where they can be shown to be necessary and effective? Does he agree that the Bill seeks to clarify the legal basis on which the police already carry out searches and cordons in the case of incidents and will continue to do until new powers reach the statute book?

Does the Home Secretary recognise, however, that in rushing such a complicated Bill through the House in one day he will almost certainly bring about defective and ineffective law, and that the proposed procedure does not give time for outside organisations to consider whether the Bill is effectively drafted? Why cannot we take the Bill in proper stages, by sitting in the House on Thursday? How long is it since the police told him that they wanted these powers? Why did he not publish the Bill at least last week, so that comment could be invited on it?

Is the Home Secretary, fresh from so many defeats in the courts or settlements that he has had to make, setting himself up before the House as an infallible drafter of Bills whose proposals can be waved through without the slightest doubt or reservation—or is his ambition to move to government by decree?

Mr. Howard: It is not true, as a matter of fact, that the powers in the Bill that I propose do no more than to regularise activities in which the police already engage. It may be true in respect of some of those powers; it is certainly not true in respect of all of them.

I confess that I am somewhat astonished by the right hon. Gentleman's suggestion that we should have proceeded in the normal way on Thursday. If we proceeded in the House on Thursday, bearing it in mind that Friday is Good Friday, obviously it would not be possible for the legislation to be on the statute book before the Easter recess.

My responsibility is to ensure that, if these powers have the potential to save one life during the Easter recess, the police are not denied them; that is why I have brought them forward today. I have brought them forward at the earliest opportunity available to me, after discussions and proper consideration of the requests of the police. That is why they have been brought forward today; that is why I commend them to the House.

Mr. John Greenway (Ryedale): Does my right hon. and learned Friend agree that the police face a formidable task in tackling the terrorist threat from the IRA, that the House and the country should be deeply grateful for the work that they do and that, if they need more powers, as they have requested, it behoves the House to pass this legislation with all due speed? Can he assure me that the stop-and-search powers that he proposes for pedestrians are sufficiently comprehensive to have the deterrent effect that I believe they could have?

Mr. Howard: I entirely agree with my hon. Friend, and I believe that he spoke not only for his constituents, but for the whole country. I believe that the whole country will recognise the desirability of providing these additional powers. He asked whether the stop-and-search powers are sufficiently comprehensive to constitute a deterrent. They are a measured response to a request from the police. I recognise that one must strike a balance in these matters, and that many matters have to be taken into account. In the light of the seriousness of the threat that we face, the proposals strike that balance.

Mr. Clive Soley (Hammersmith): Bearing in mind the dangers of rushed legislation, will the Home Secretary give the House the assurance that he has considered, or the commitment that he will carefully consider, human rights legislation in Europe and Appeal Court decisions, because there is a danger of getting legislation wrong when it is rushed in this way? Secondly, notwithstanding the fact that the prevention of terrorism Act has to be reconsidered and renewed, will he confirm that he will not seek to impose these powers, especially clause 1, on the general law should there be a return to a permanent ceasefire in Northern Ireland?

Mr. Howard: In reply to the first of the hon. Gentleman's questions, may I say that of course we have used our very best endeavours to ensure that the Bill is drafted in such a way as to be utterly consistent with our obligations under the European convention on human rights and with all relevant decisions of the Court of Appeal. The right hon. Member for Berwick–upon–Tweed (Mr. Beith) made observations a moment ago about some of the recent decisions by the Court of Appeal. It is not always possible to predict with complete accuracy how the courts will respond in particular circumstances. However, we have used our best endeavours to ensure that the legislation is consistent with relevant decisions of that court.

In terms of the future, in the welcome event, for which I am sure we all very much hope, of a return to peace in Northern Ireland, the hon. Gentleman will know that the learned Lord Lloyd of Berwick is considering what powers will be necessary. I shall not give the hon. Gentleman the assurance that he requests, because if Lord Lloyd concluded that powers such as these are necessary in the long term, that view would clearly need to be given the most careful consideration. That will be looked at in the context of Lord Lloyd's report.

Sir Michael Shersby (Uxbridge): Is my right hon. and learned Friend aware that the powers to which he has referred will be widely understood and accepted by the majority of law-abiding citizens? Can he confirm that the power to stop and search pedestrians is intended to extend the powers of the police to look, in particular, for devices as opposed to the more general run of offensive weapons? Can he amplify his statement that those powers would be subject to the regulations made under the Police and Criminal Evidence Act 1984?

Mr. Howard: I am grateful to my hon. Friend for his support. I can confirm that the main purpose of the powers to stop and search pedestrians is to enable the police to find incendiary devices. Such devices have been used on a number of occasions and are now of such a size that they fit perfectly easily into a coat pocket. That is the main target of the powers to stop and search pedestrians. In the context of monitoring, the normal PACE powers will apply, as I think was anticipated in my hon. Friend's question.

Mr. David Trimble (Upper Bann): As the Home Secretary has said, for the greater part these powers bring the law in England and Wales a little closer to the law in Northern Ireland. However, is it not the case that the way in which the IRA has resumed its campaign makes the point that it does not regard as significant the administrative and legal boundaries within the United Kingdom and that we need a more comprehensive response by the United Kingdom as a whole, and not simply in legislation, but otherwise? Does he agree that there is an overwhelming case simply for a single United Kingdom-wide anti-terrorism Act, directed against not just IRA terrorism but terrorism generally?

Mr. Howard: As the hon. Gentleman will know, that matter is being considered and it will be open to Lord Lloyd to make a recommendation to that effect. The hon. Gentleman demurs from what I say, but I doubt that he would be enthusiastic if I presented on an emergency basis the kind of comprehensive legislation that he seeks. It is sensible to await the deliberations of Lord Lloyd in looking at that aspect of the matter.

Mr. David Howell (Guildford): While I recognise that the Northern Ireland peace process is not the direct responsibility of my right hon. and learned Friend, does he agree that there is very little hope of that peace process working unless terrorism is thoroughly defeated? Does he further agree that that requires counter-terrorist measures of the utmost vigour and imagination and that the measures that he has announced are certainly part of that, with their powers of search and intelligence acquisition? In the light of that, will he look to other Governments who have the same common interest, or say they have, in the defeat of terrorism? Will he urge his opposite number in Dublin to consider the same sort of powers, so that we really can defeat terrorism and see peace go forward in these islands?

Mr. Howard: Of course, I entirely agree with my right hon. Friend about the need for firm and effective counter-terrorist measures. I am grateful to him for his support. I believe that these powers will add significantly to the armoury of the police in dealing with terrorism. The possibility of such powers being introduced in the Republic of Ireland are, of course, a matter for the Irish Government. I assure my right hon. Friend that discussions on those matters between the two Governments take place quite regularly.

Mr. Harry Barnes (North–East Derbyshire): I am one of the Opposition Members who supports the bipartisan approach, but who voted against the prevention of terrorism legislation on the grounds that it contains civil liberties problems and that in many areas it is counter-productive to the peace process. Is not that the case with the measure that is now before the House and which contains some draconian provisions? For example, the 28-day provision might aid the IRA rather than help to contain it.

Mr. Howard: I do not think that any of these provisions would be counter-productive. In many ways, one ought to pay particular attention to the views of the police on that question. They are close to the circumstances in which these powers have to be exercised, and it is not in their interests for the powers to be counter-productive. If that was their view, they would not have requested them.

Mr. Edward Garnier (Harborough): Either today, or tomorrow during the course of the debate, can my right hon. and learned Friend make it clear whether the new powers under section 13A of the PTA which he hopes to introduce will allow for random searching within the specified area, or must a police constable have reasonable grounds for suspecting that a particular individual, car or bag contains illegal substances? Can he say whether, during a search of outer garments, when a police officer thinks that there may be devices contained within inner garments, that officer can continue to detain that person for a closer search elsewhere? I support the plea by the hon. Member for Upper Bann (Mr. Trimble), that before long, but after proper consideration, an all-UK anti-terrorist law should be introduced.

Mr. Howard: I note what my hon. and learned Friend says about the possibility of all-UK legislation. As I said in reply to the hon. Member for Upper Bann, that matter is certainly being considered by Lord Lloyd. Under these proposals, the powers of search allow police officers to search pedestrians without having specific suspicion in relation to those pedestrians. That is really the point of the powers.

My hon. and learned Friend asked about a power to search beyond the outer garments. The Bill does not provide such power: it will depend upon the extent to which the police officer, having carried out a search of the outer garments, has suspicion about the person.

Mr. Kevin McNamara (Kingston upon Hull, North): Will the Home Secretary confirm that all the powers that he seeks could have been announced to the House over a fortnight ago, when we were discussing the renewal of the prevention of terrorism Act? To ask the House to pass this legislation, which will be subject to a guillotine, on the penultimate day before the recess, without adequate opportunity properly to examine the terms and content of the Bill or to take proper outside advice, would in itself be sufficient ground to vote against the measure. Will the Home Secretary also confirm that the new

[Mr. Kevin McNamara]

powers of stop and search that he suggests would, provided that they are properly authorised, negate section 1 of the Police and Criminal Evidence Act 1984?

Mr. Howard: I do not accept the last point made by the hon. Gentleman—it is not right at all. Since the introduction of the prevention of terrorism Act, it has been recognised that there is a case for particular measures to deal with the terrorist threat. In relation to an earlier announcement, no decision had been reached on this matter when the prevention of terrorism Act was renewed. In many ways, I should have liked to be able to refer to it when the Act was before the House. However, as no conclusion had been reached on it, and as it was still under discussion and consideration, I did not think that any useful purpose would be served by mentioning it at that stage. It may have been decided not to bring these measures forward.

I have introduced these measures at the earliest opportunity, having reached a conclusion that they were necessary and justified. Once that decision was reached, it was incumbent on me to bring them before the House at the earliest possible moment.

Mr. Michael Fabricant (Mid–Staffordshire): My right hon. and learned Friend will know that the murder of two young soldiers at Lichfield city railway station is still remembered with sadness by many people in my constituency. The proposals that he has announced today will be welcomed in Lichfield and Mid-Staffordshire as a whole. Does he believe that there will be any delays or difficulties because of the provision that he has announced today, that there would have to be approval by the Secretary of State for the Home Department for police constables to have stop-and-search powers for more than 48 hours?

My right hon. and learned Friend has had discussions with the hon. Member for Blackburn (Mr. Straw). Therefore, does he know whether the Labour party will vote for the provision, abstain or vote against it, as it did for the prevention of terrorism Act?

Mr. Howard: The dreadful murders to which my hon. Friend referred are remembered far beyond Lichfield and Mid-Staffordshire. We shall take every possible step to prevent a recurrence of acts of that kind, which is why we have brought forward these proposals. The authorisation of the Secretary of State will not negate the ability of the police to exercise the powers during the 48-hour period, which have to be confirmed within the 48-hour period. If they are not confirmed, they will fall when the Secretary of State announces his decision. Until that moment, those powers are available for use by the police.

In relation to the Labour party's attitude, I have acknowledged the extent to which it is prepared to co-operate, and my understanding is that it does not intend to stand in the way of the legislation. I am grateful to the hon. Member for Blackburn for what he said, and tomorrow we shall see the precise form of that co-operation.

Mr. Andrew F. Bennett (Denton and Reddish): Does the Home Secretary agree that this is a draconian measure? If it is logical to rush it through the House tomorrow, so that it is in place for the Easter recess—as the Home Secretary said—would it not be logical to time-limit the Act so that it lasted for only three months? The House would then be able to return to it and legislate more slowly and more carefully. The powers to stop and search and the powers to stop people having access to their own homes are draconian. It would be logical to scrutinise such powers very carefully.

Mr. Howard: The hon. Gentleman's suggestion is not sensible. If concerns develop about the operation of these powers—and I do not expect them to—there will be ample opportunities for hon. Members to express those concerns, without going to the lengths suggested by the hon. Gentleman.

Mr. Max Madden (Bradford, West): If these powers are so important for the police, to enable them to combat terrorism, many of us are finding it hard to understand what has happened or who has intervened to make this issue so urgent for tomorrow. Why on earth could not the Home Secretary at least have hinted at it when the PTA was debated on 14 March? It is clear that these provisions are draconian and, as always, they will bear disproportionately on working-class communities throughout the United Kingdom.

If the Home Secretary really wants to see a restoration of the ceasefire, why does he not repatriate Irish prisoners to the Republic of Ireland, which he has been able to do for the past five months but has failed to do so far—instead of ferreting around and trying to find measures of this sort to restore his extremely damaged reputation?

Mr. Howard: The purpose of these powers is to protect working-class communities in this country—and I think that they will recognise that and value the extra protection that the powers will provide.

Mr. Jeremy Corbyn (Islington, North): Does the Home Secretary recognise that many people do not think that the PTA has served the country well and believe that it is a serious attack on the civil liberties of a large number of people? The amendments that he has proposed today—to be rushed through in an atmosphere of crisis tomorrow—amount to a return of the sus laws by the back door, with an open-ended commitment to keep those new powers there when surely, as a confidence-building measure towards the peace process, we should be getting rid of the PTA and the anti-libertarian aspects that go with it.

Mr. Howard: The hon. Gentleman is entitled to his point of view, but I think that it is not widely shared outside the House, and it certainly is not widely shared inside the House. This is not, in any sense, a return to the sus law—and it is quite wrong to give any indication that it is. These are tightly restricted powers, available on the designation of a particular area, for a particular time, in particular circumstances, by a senior police officer. Although I recognise that the hon. Gentleman holds his views strongly, he has served no useful purpose in seeking to confuse people about the extent of the powers that I propose. The powers are very limited and they are not, in any sense, a return to the sus laws.

Mr. Terry Dicks (Hayes and Harlington): Ordinary people, especially those who live in my constituency around Heathrow, will support the measures. I am getting a little sick and tired of the apologists for terrorists on the Labour Benches trying to undermine my right hon. and learned Friend's job.

Mr. Howard: I am grateful to my hon. Friend for his support. I believe that these measures are necessary and that they constitute a balanced response to the threat that we face. I very much hope that they will gain support from both sides of the House.

Business of the House

4.57 pm

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): With permission, I should like to make a short business statement. In the light of the statement just made by my right hon. and learned Friend the Home Secretary, the business for tomorrow will now be as follows: consideration of timetable motion on, followed by proceedings on, the Prevention of Terrorism (Additional Powers) Bill. The business previously announced for that day will be taken on a later occasion.

On Wednesday 3 April, in addition to the business previously announced, the House may be asked to consider any Lords amendments that may be received. The House will also wish to know that the business on Tuesday 16 April will now be the Second Reading of the Broadcasting Bill *[Lords]*, followed by consideration of any Lords amendments that may be received to the Education (Student Loans) Bill.

Mrs. Ann Taylor (Dewsbury): I thank the Leader of the House for giving us that information, and I confirm that the Labour party will not stand in the way of the legislation that has been announced today. Obviously, the lack of time for greater consultation is very much regretted, certainly by the Labour party and, I hope, by both sides of the Chamber. Notwithstanding that, we are willing to facilitate the passage of the limited legislation on the time scale proposed.

However, we certainly do not want our co-operation on this measure to be taken as a precedent on any other occasion. As my right hon. and hon. Friends have made clear, the Labour party is seized of the importance of fighting terrorism. It is on the basis of the security briefings that have been given that we are facilitating the measure and that we accept the unusual procedures that the Leader of the House has put forward.

The right hon. Gentleman said that tomorrow's business would have to be postponed, but he was not very definite about when we might expect the particular clauses of the Family Law Bill to be debated. Those clauses are of importance to many hon. Members, and early notification of when they are to be debated would be of assistance to all of them.

Mr. Newton: I am grateful for the very constructive response that the hon. Lady has given on behalf of the Labour party, matching that given by the hon. Member for Blackburn (Mr. Straw). I note the comments that she made in expressing that co-operation. I, too, had hoped that it would be possible to proceed with the Family Law Bill tomorrow, but I have already announced a full slate of business for the first week when we return. I hope that we shall be able to proceed with it very soon thereafter.

Mr. Edward Leigh (Gainsborough and Horncastle): I welcome the statement today, not least because, as my right hon. Friend may remember, I took him to task during the previous business statement for rushing through the divorce Bill. The various Christian organisations that wrote—at least one wrote to the Prime Minister—to object to the speed will also welcome today's announcement.

[Mr. Edward Leigh]

I want to take up the point raised by the hon. Member for Dewsbury (Mrs. Taylor), which is important, because we feel that the Bill is a vital social measure. Will my right hon. Friend re-emphasise—this is an important opportunity for him to do so—that the Bill will be brought back at a time when hon. Members are not rushing back from their holidays; when they are not rushing off at the end of the week, perhaps after a one-line Whip or anything like that; that votes will be taken at a sensible time; and that all hon. Members, on the pay roll and otherwise, will have a full and free vote, so that the Government cannot be accused of rushing through quickie divorce legislation?

Mr. Newton: It would be pretty hard to accuse the Government convincingly of rushing the Family Law Bill through, as I indicated in my reply to my hon. Friend last Thursday. I note, however, that one advantage—from his point of view—of what I have just announced is that the Bill will now take a little more time.

Mr. Simon Hughes (Southwark and Bermondsey): Given the controversial nature of the Government's proposals for dealing with the Prevention of Terrorism (Additional Powers) Bill, will there will be a business committee, on which all parties would be represented, to discuss the way in which the measure is handled?

The Bill has five clauses and one schedule. Will the Leader of the House undertake to provide considerably more time than two hours to debate them? Will he undertake that there will be a separation between the time when the House is asked to deal with the Bill in Committee and when it is asked to deal with its remaining stages? Will he ensure that all hon. Members are provided with printed copies of any amendments?

If the Bill is so urgent and important, will the Leader of the House reconsider the answer that the Home Secretary gave to my right hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith) and consider using the guillotine motion so that the Bill has its Second Reading tomorrow, we debate the remaining stages on Wednesday and the other place deals with the Bill on Thursday, still ensuring Royal Assent before Easter?

Mr. Newton: I would not wish to encourage the expectation that a proposal that would entail the other place sitting later into the week could readily be accommodated.

I shall, of course, consider the other questions that the hon. Gentleman raised, but I am bound to say that we gave a great deal of thought to the proposals for the guillotine motion, which I know have been indicated through the usual channels. I continue to think for the moment that we have it about right.

I shall certainly consider the point raised about the printing of amendments, but given the form in which the Bill will come before the House tomorrow, following its draft publication today, I find it a bit difficult to see any real scope for dealing with amendments except on the basis of manuscript amendments.

Rev. Martin Smyth (Belfast, South): The Leader of the House will know that I am pleased that the Family Law Bill has been postponed. Having said that, I welcome the Bill tomorrow. Some say that it infringes civil liberties and that there has not been enough time. I remind the Leader of the House, and, indeed, the House, that the people who were at South Quay station had less warning when they were sent into eternity, and many people have had their civil liberties infringed permanently.

Mr. Newton: I am grateful to the hon. Gentleman for the approach that he outlined. He makes a salutary point.

Mr. Andrew F. Bennett (Denton and Reddish): Will the Leader of the House tell us when the timetable motion will be tabled, so that we can all see it? Will it be possible for amendments to the draft Bill to be given to the Table Office, so that at least we can see tonight what amendments other hon. Members are tabling, rather than having to wait until the manuscript amendments appear in the morning?

Mr. Newton: I envisage that the timetable motion will be tabled later tonight, but we have been asked to look at one or two points. Although I do not think that I have encouraged great expectations that I shall be able to make changes, I would like to give further consideration in the light of what has been said.

Perhaps I might consult further on the hon. Gentleman's question about amendments. Given that what has been published is in draft form and therefore is not formally a Bill, I find it difficult to see how the procedures of the House will be able to accommodate some formal procedure relating to amendments, but I shall give consideration to whether there are any practical means of achieving what the hon. Gentleman suggested.

Mr. Kevin McNamara (Kingston upon Hull, North): May I ask the right hon. Gentleman two things? First, if we can have a draft Bill, why cannot we have printed draft amendments tomorrow morning? Secondly, my hon. Friend the Member for Blackburn (Mr. Straw) and my hon. Friend the Member for Dewsbury (Mrs. Taylor), who is the right hon. Gentleman's shadow, spoke about briefings that had been given, which persuaded them of the need to pass this legislation. As neither of my hon. Friends is a Privy Councillor, and in view of the fact that the Leader of the House wishes the whole House to support the proposed legislation, should not every hon. Member be given the same briefings at the same level and in the same detail, so that we can judge whether what has been decided by the Government and by my hon. Friends is a sensible course of action?

Mr. Newton: On the latter point, it is and has been appropriate to treat the hon. Member for Blackburn, albeit that he is not a Privy Councillor, in the way that the Government have sought to do. I am not sure that it would be appropriate to move in the same way in respect of all hon. Members.

On the publishing of draft amendments, the only point that I was making was that I do not think that there can formally be the publication by the House of draft amendments, any more than the publication of the draft Bill is a formal act in House of Commons terms. My right hon. and learned Friend the Home Secretary is publishing a draft Bill. There is certainly nothing to prevent hon.

Members who wish to table amendments from making their amendments available in manuscript, printed or any other form if they wish to do so later today.

Mr. Michael Jopling (Westmorland and Lonsdale): I want to raise exactly the same point as the hon. Members for Denton and Reddish (Mr. Bennett) and for Kingston upon Hull, North (Mr. McNamara). I am not aware that draft amendments have been made available to the House in this way before, but I cannot see any possible way in which it could be objected to. It seems a thoroughly commendable way in which the House could proceed. If the Table Office is asked to consider draft amendments on the basis of the draft Bill, I cannot see any good reason why they should not be published by the House with the authority of Madam Speaker. I cannot think why nobody has ever thought of it before, because it seems an excellent idea.

Mr. Newton: I naturally listen to my right hon. Friend, with his experience, with great respect. I have already indicated that I shall do anything that I can to find a practical way to meet what is seen as a practical need, but it has to be said, on my advice and on the body language from the Chair and from those who advise the Chair, that the draft Bill has no formal status in terms of House of Commons procedure.

Mr. Max Madden (Bradford, West): Recalling that the PTA was initially introduced in 1974 in the aftermath of the terrible Birmingham pub bombings and that it was taken through all its stages in less than 48 hours—it was then described as a temporary measure—I think that it is disturbing that the Government propose to do precisely the same thing tomorrow. Will whoever promotes the Bill be able to give an explanation—clearly, none is available today—as to why this panic measure, which has serious implications for human rights and civil liberties, is being rushed through the House in this way? I hope that that explanation will be forthcoming tomorrow, because if it is not, I am sure that a number of hon. Members, including myself, will be unable to support the measure and will vote against it, not least because of the circumstances in which it is being taken through the House.

Mr. Newton: I naturally regret the hon. Gentleman's indication of his intentions, but that must be a matter for him.

On the hon. Gentleman's first point, my right hon. and learned Friend the Home Secretary clearly explained the reasons to the House in his statement.

Mr. Jeremy Corbyn (Islington, North): Does the Leader of the House accept that he and the Home Secretary have got the House into this mess by introducing the Bill, albeit in a draft unprinted form, so that many hon. Members do not even know of its existence, never mind its content? The Leader of the House is now telling us, apparently, that there is no scope to table full amendments today which can appear on the Order Paper tomorrow. Will he please do something quickly to ensure that the House can perform its proper function: the scrutiny of legislation before it is passed, not acting as a rubber stamp for whatever panic the Home Secretary of the day chooses to create?

Mr. Newton: I cannot really add to what I said earlier about the technicalities. The fact is that, from the point of view of the House, the Bill has not yet been introduced, and will not be introduced until tomorrow. Nevertheless, I repeat that as soon as I leave the Chamber I shall explore whether there are practical ways of achieving the same effect, although they would not involve the formal publication of draft amendments by the authorities of the House.

Mr. Corbyn: On a point of order, Madam Speaker. Will you be making a statement later this evening or tomorrow about the means by which hon. Members can table amendments to the Bill proposed by the Home Secretary, so that all hon. Members can be aware of them before the debate on the timetable motion tomorrow? Will you be able to give your selection of those amendments in advance of the debate?

Madam Speaker: It is not my intention at present to do so, but, following what the Leader of the House has said, I must consider the matter carefully. I would want all hon. Members to have as much opportunity as possible to table amendments, and to see the amendments that are published.

Mr. McNamara: On a point of order, Madam Speaker.

Mr. Harry Barnes (North-East Derbyshire): On a point of order, Madam Speaker.

Madam Speaker: I cannot take any more points of order on this matter.

Mr. McNamara *rose—*

Mr. Barnes *rose—*

Madam Speaker: All right.

Mr. Barnes: We have been informed, Madam Speaker, that a draft Bill is available to us. Is that in order? I understand that First and Second Reading will take place tomorrow. Under the normal procedure, First Reading would give permission for the Bill to be printed, after which it would be available to us. Are we engaging in the correct procedure?

Madam Speaker: There is nothing out of order in that procedure.

Mr. McNamara: May I pursue the point that you were making earlier, Madam Speaker? As hon. Members may recall, there is a precedent: a manuscript Bill has been considered by the House. At that time, however, we encountered major difficulties in getting amendments selected by either the then Speaker or the then Chairman of Ways and Means. The only amendment with which we succeeded asked for the Bill to be examined again in six months. Because of the nature of this Bill, Madam Speaker, may I ask you to ask the Chairman of Ways and Means—who will presumably be responsible for the matter—to bear in mind the difficulties that Back Benchers will encounter?

Madam Speaker: Certainly. I take the hon. Gentleman's point very seriously, and as soon as I have left the Chair, I shall take it into consideration and do what I can to assist all Back Benchers in relation to amendments that they might wish to table.

BILL PRESENTED

CYPRUS (COMMISSION OF ENQUIRY INTO MISSING PERSONS)

Mr. Edward O'Hara, supported by Mr. John Marshall, Mr. Tom Cox, Mr. Hugh Dykes, Mr. Alan Meale, Dr. Ian Twinn, Mrs. Barbara Roche, Mr. Jimmy Hood, Mr. Don Dixon and Mr. Simon Hughes, presented a Bill to establish a Commission of Enquiry to take evidence and make recommendations concerning the establishment of the whereabouts of certain missing persons and to authorise the provision of assistance in the conduct of any investigations into those matters carried out by the authorities on the island of Cyprus; and for connected purposes: And the same was read the First time; and ordered to be read a Second time upon 12 July and to be printed. [Bill 95.]

Opposition Day

[9TH ALLOTTED DAY]

Council Tax

Mr. Deputy Speaker (Mr. Michael Morris): Madam Speaker has selected the amendment in the name of the Prime Minister.

5.12 pm

Mr. Frank Dobson (Holborn and St. Pancras): I beg to move,

That this House deplores Her Majesty's Government's policies which have forced local councils to increase council tax and charges while reducing services, so obliging local people to pay more and get less; notes that Her Majesty's Government intends to continue to do this year on year; and urges the people of England to bear this in mind when casting their votes in the forthcoming local elections.

At the last general election, the Conservative party warned people that there would be a tax bombshell if Labour were elected. The Tories were elected, and people received not just one tax bombshell; up to now, they have received 22. Twenty-two tax increases or new taxes have been imposed on them. All those taxes have been imposed nationally, at an average cost per family of £670 a year. The Chancellor of the Exchequer has himself acknowledged that the effect of the increases has been to add the equivalent of 7p to the standard rate of income tax.

The Government have now announced a 1p reduction in the standard rate of income tax, coming into effect around now. I suppose that everyone should welcome the sinner that repenteth, but it is worth reminding the House that the 1p reduction does not wipe out the 7p increase; 6p is still outstanding. There is also doubt about whether the Government have actually repented. At the same time as reducing the standard rate of income tax by 1p, they are knowingly and deliberately forcing up the council tax.

Giving evidence to the Treasury Select Committee, the Chief Secretary to the Treasury accepted that the Treasury was assuming an average council tax increase of 8 per cent. in making its plans. Had the average increase been 8 per cent., that would have been equal to about 0.5p back on the standard rate of income tax: it would have taken away half the 1p by which the Government claim to be reducing the rate. The Government are deliberately driving up the council tax and driving up charges for council services, while forcing cuts in services to local people. As a consequence, local people will be expected to pay more and will be given less in return.

As it turned out, the average increase was not as bad as the Treasury had planned for. It was not the 8 per cent. predicted by the Chief Secretary, but 6.2 or 6.3 per cent., depending on whose calculation we accept. That increase, however, masks many enormous variations in the changes. In Wellingborough, for instance, the council tax increase is no less than 58 per cent., whereas in Labour-controlled Middlesbrough there has been a reduction of nearly 16 per cent. Lest I be accused of political prejudice, I should add that, in the Prime Minister's constituency, there will not be an increase of 6.3 per cent.; his Tory council—he is almost unique

among Tory Members in having one of the 13 Tory-controlled councils in his constituency—is raising its council tax by 10.1 per cent.

It is clear from the settlement that, as everyone has known all along, the main determinant of council tax levels and changes, whether up or down, is the level of the Government grant.

Mr. Eric Pickles (Brentwood and Ongar): The hon. Gentleman says that the determining factor is the level of the Government grant, and suggests that that grant is inadequate. How much extra does he feel should be put into the coffers in the settlement?

Mr. Dobson: It is not just the level of the grant; it is the distribution of it. [HON. MEMBERS: "How much?"] I will answer questions in the way in which I want to answer them. Everyone knows that there are two determinants: one is the overall level, and the other is the method of allocation.

Mr. Jacques Arnold (Gravesham): Will the hon. Gentleman give way?

Mr. Dobson: I am answering one question; I am not prepared to answer two at once.

The hon. Member for Brentwood and Ongar (Mr. Pickles) may be satisfied with the present arrangements for the allocation of grant between one council and another, but I doubt whether his constituents are. He voted for a settlement that means that council tax payers in Westminster contribute only 4 per cent. to the council's total spending, while his constituents in Brentwood must contribute no less than 37 per cent. of the cost of services there. That clearly shows just how unfair and rigged is the distribution system.

Mr. Pickles: Is the hon. Gentleman aware that, if Camden council received the same grant level as Tower Hamlets, this year the increase in the charge would be only £50, that, if Islington received the same grant level, the increase would be £53, but that, if Wandsworth council received that grant level, the council tax would go down? Why has he let down the people of Camden?

Mr. Dobson: As everyone knows, Tower Hamlets is one of the most impoverished places in Britain and it is right and proper that it should receive a substantial grant from central Government. It does not, however—unlike Westminster—receive 96 per cent. of its spending from central Government; it receives a lower proportion than that. Everyone recognises that Tower Hamlets is impoverished and that, in identifying Westminster as the fourth most impoverished place in Britain, the Government are just a collection of swindlers looking after their friends.

The Secretary of State for the Environment (Mr. John Gummer): If that were true, why is it that, under Labour Governments, advised by the hon. Member for Blackburn (Mr. Straw), Westminster council received proportionately a more favourable settlement than under Conservative Governments? If it is wrong for Conservative Governments to give the settlement that they have, why is it that Labour was more helpful to Westminster than the Tories? The hon. Gentleman should withdraw his last statement or apply it to himself.

Mr. Dobson: We are advised by the House of Commons Library that no published figures justify what the Secretary of State says. If he believes that, under Labour, the system was more favourable to Westminster, will he publish the figures?

Mr. Dennis Skinner (Bolsover): One of the things that is worth remembering, apart from all the percentages that show clearly that, over many years, the two so-called Tory flagship authorities have benefited as opposed to councils in Derbyshire and in other places, is that people who run the services are being impoverished. On Saturday, several of us met Derbyshire members of the Fire Brigades Union, who told us that, sadly, its firefighting budget is to be cut by about 7 per cent. Every time there is a calamity or a disaster, Ministers praise the work of firefighters, yet in Derbyshire, the FBU's budget is being cut by 7 per cent. and some stations are being closed. That is the reality of this lousy, rotten Tory Government, not all the banging on about looking after Westminster.

Mr. Dobson: I agree with everything that my hon. Friend says and I shall refer to the cuts that the Government are forcing on the fire and emergency services throughout Britain.

Mr. Gummer: In order that the hon. Gentleman should be helped, I will give him the figures. When the Labour party was in power, the Labour Government estimated Westminster's need per head as £486, whereas Liverpool's need per head was estimated at £327, a difference of 49 per cent. Westminster's standard spending assessment will be £1,265 per head compared with £944 for Liverpool, a difference of only 34 per cent. Under Labour, therefore, Westminster was favoured by 49 per cent. and, under the Conservatives, by 34 per cent. The hon. Gentleman should obtain those figures. They are in the public domain.

Mr. Dobson: For a start, the Secretary of State is totally misleading the House. It is not just a question of the standard spending assessments. Let me make this clear—I am quoting figures that are used by Westminster's chief executive, or whatever he is called these days in that benighted plague ship of the Tory party. He says that Tory-controlled Westminster is receiving £20 million more than it is entitled to. The main reason for that is that it receives an enormous grant in respect of visitors to Westminster and between £20 million and £30 million a year from parking charges from those self-same visitors—that income from parking charges is added to the grant that it receives from the visitors, not subtracted from it. It is a racket conducted at the expense of everyone else. It is no good all these Tory Members shilly-shallying about it. They must explain to their constituents why, year in year out, they vote for that racket to benefit Westminster to the disadvantage of the people whom they are supposed to be representing.

Mr. William O'Brien (Normanton): May I advise my hon. Friend that recent performance indicators show that Wakefield's spending per head of population is the lowest

[Mr. William O'Brien]

among metropolitan district councils because of the way in which the rate support grant is allocated? As we have as much, or more, deprivation than Westminster, will he provoke the Secretary of State for the Environment to say why Wakefield should be worse off under the rate support grant order than Westminster?

Mr. Dobson: I do not think that my hon. Friend will ever get the Secretary of State to admit even that Wakefield is worse off because, as he must, the Secretary of State proceeds under the theological assumption that Westminster is the fourth most deprived place in Britain. Let us all remember that, in the system that he is running, not only the resident population, but, for grant purposes, the visitors are regarded as the fourth most deprived people in Britain, so, as I have said before, tonight, 12 per cent. of the people staying at the Ritz hotel will be regarded, for Government grant purposes for Westminster, as living in grossly overcrowded conditions. That is how the Government arrive at such figures.

Mr. Jacques Arnold: While on the subject of the use of car parking charges, to what does the hon. Gentleman's own London borough of Camden apply its car park charges and in what way does that differ from the practice in Westminster?

Mr. Dobson: The practice in Camden does not vary from that in Westminster. It is just that the sum is enormously lower. I am suggesting not that the formula does not allow Bolsover council to take parking charges and to spend them, but that the Government have cobbled together a formula that gives parking charges to the borough that receives far more parking charges than probably the next 20 put together, with the veritable intention of ensuring that Westminster is all right and that Bolsover gets clobbered.

Mr. Skinner: It is even worse than that. We have tourists in Bolsover. As many people know, we have Harwick hall and Bolsover castle and English Heritage has just been taken over by a French firm. The Government have allowed the French to invade Bolsover castle, so all the parking charges are going back to France.

Mr. Dobson: Nothing surprises me. When we have the French taking over Northumbria Water and such companies, we can expect them to be taking over Bolsover castle as well.

Mr. David Rendel (Newbury): Far be it from me to interfere in a spat between the hon. Gentleman and the Secretary of State for the Environment, but the Secretary of State might have been making an odd comparison in comparing the figures under Labour with the figures now because local councils' duties have changed since then. I would have thought that the extra duties imposed on them would be expected to be roughly the same per person in each council. Therefore, the absolute difference in grants to different councils between the time Labour was in power and now should be compared rather than the proportional difference.

Mr. Dobson: Oddly enough, I had not even reached Westminster in my speech. I was going to demonstrate that, even without any political prejudice—which of course the Government are full of—their system of allocating grant is widely capricious. There is no better way in which to demonstrate—

Mr. Robert G. Hughes (Harrow, West) *rose—*

Mr. Dobson: No; I shall move on.

There is no better way in which to demonstrate the inherently capricious, unpredictable and rather weird nature of the Government's grant system than the council tax increases in the new unitary authorities. Those authorities, which used to be lower-tier district councils, have taken over from county councils—three of which have been abolished—and, in the case of York, taken over from North Yorkshire county council, the provision of extensive services and the control of enormous budgets for education and social services.

The size of those authorities' budgets is massively greater than it used to be. The councils have no track record on which anyone could base a real and sensible proposition for allocating funds in a way which militated against one council or in favour of another. However, the differences in council tax increases in the new unitary authorities are quite startling. The range is amazing: 31 per cent. in north-east Lincolnshire; 14 per cent. in Redcar, Cleveland; 13 per cent. in Bristol; 10 per cent. in Hartlepool; 9 per cent. in East Riding; and 8 per cent. in Stockton-on-Tees. Other Labour-controlled unitary authorities have council tax reductions: Middlesbrough—which is literally next door to Stockton-on-Tees—has a reduction of 5.8 per cent., and Hull has one of 10 per cent. There is no rational explanation for those differences.

The Government have absolutely refused to take on board any of the complaints that have been made about the inadequate and capricious nature of those arrangements.

Mr. Hughes: I have heard the hon. Gentleman and many of his colleagues quote, with great praise, Rita Hale from the Chartered Institute of Public Finance and Accountancy, and Tony Travers from the London School of Economics. I think that most of us would accept that they know more about local government finance than anyone else in this country. They say that our grant system goes further to achieve equalisation than any other scheme in the world. That being the case, is not the hon. Gentleman just indulging in silly and stupid political banter?

Mr. Dobson: I must say that I have never felt compelled to agree with experts. I think that some Ministers probably think that they should not have agreed too slavishly with experts about the safety of beef and about various other things. We are not here to parrot what experts say, we are here to make some judgments. Whatever experts say, the current system is unfair in making grants to many authorities and it is unfair in the amount of grant Westminster receives in comparison with practically every other authority.

Mr. Gummer: Can the hon. Gentleman tell me why, if the system is as unfair as that, the hon. Member for North–West Durham (Ms Armstrong) said in her interview in the *Local Government Chronicle* that she could not promise any major change in it?

Ms Hilary Armstrong (North–West Durham): In the early days.

Mr. Dobson: My hon. Friend, being a prudent person—unlike the Secretary of State, the Ronald McDonald of the Tory Front Bench—said that no change could be expected in the early days of a Labour Government. She is quite right; it takes a long time to put right things that are as badly wrong as local government finance.

Mr. Gummer: Just in case the House might have been misled, the hon. Lady told the *Local Government Chronicle*:

"I would not like to promise major changes".

She said nothing about early days or anything like that.

Mr. Dobson: Quite frankly, I would rather take the word of my hon. Friend than the word of the Secretary of State—of that I have no doubt whatever.

The fact is that, considered nationally, the Government are driving up council taxes, and in his evidence to the Treasury Select Committee, the Chief Secretary to the Treasury made it quite clear that the Government are doing that intentionally. Council tax is being driven up because the Government grant does not meet the increased costs imposed by inflation, pay increases and increased demand for council services because of the extra 86,000 children, for example, who will be going to school in the coming year and the increasing number of old people who—having paid in tax of one sort or another and national insurance all their lives—rightly expect that they will be looked after properly by their local authorities.

The Government payment and the Government grant also do not meet the costs of implementing various legal changes, such as the introduction of the landfill tax and the requirement to instal seat belts on school buses. It is quite right that there should be a landfill tax. It is also quite right that seat belts should be installed in school buses—a cause for which I have campaigned for a dozen years or more, and I will not go back on it—but it will cost money. As a result of the shortfall in what councils must spend to maintain services, they must meet the difference by council tax increases, charge increases and service cuts.

Last year, council tax rose by 5.3 per cent. This year, it will rise by an average 6.3 per cent. We have also experienced increased charges. It is perhaps worth reminding the House that school meal prices are still going up. In many areas, they now exceed £1 per child per day. When the Government first came to power, the charge was 20p per child per day, far larger numbers of children were eligible for free meals and councils had more discretion in granting free meals to the most impoverished children.

It might also be worth reminding the House that this Government, at the same time as they got rid of a national price for school meals, got rid of national nutritional standards for school meals. One result of that action has been a massive increase in consumption of less-healthy foods at school and in the number of children eating burgers, day after day, causing whatever harm or otherwise to their health.

There have been massive cuts in services all over the country—reductions in the availability of luncheon clubs for old people, libraries closing and libraries opening for fewer hours and swimming baths closing. Aspects of schooling that I had regarded, when I was at school, as part and parcel of that experience and as one of the benefits of being a child—such as music, sport and swimming—have been eliminated from the curriculum because the money is not there to fund them. There are examples of such programmes being eliminated all over the country.

Local authorities are having to make difficult, awkward and unpleasant decisions, which have been forced on them by the Government. I shall give just a few examples. First, the great city of Birmingham—a credit to this country—built the international convention centre, a joint project which provided the city with a brilliant convention centre and the country with a state-of-the-art facility. Virtually every member of the Government, certainly including the Prime Minister, vilified the convention centre up hill and down dale—until they needed somewhere in England to go for the European Heads of Government conference.

Lo and behold, the Government chose the international convention centre in Birmingham for their conference because it was the best place for it and because the television pictures, broadcast around Europe, would be a credit to Britain. The communications were absolutely first rate. As soon as Ministers came away from the conference—this collection of bumbling hypocrites—they immediately started complaining and groaning about Birmingham having built an international convention centre. Birmingham has also led the way in introducing many education initiatives to the benefit of the city's children.

Birmingham city council has had to take many difficult decisions this year. The Government increased Birmingham's spending limit by £23 million, but the Government's grant to Birmingham, including the business rate, increased by only £6 million. The Government acknowledged that Birmingham needed to spend £23 million more but gave it only £6 million towards that sum—the other £17 million must therefore come from increased taxes. That, however, is not the end of the story.

Mr. Keith Mans (Wyre): Will the hon. Gentleman give way?

Mr. Dobson: Not yet; I shall finish this point.

The teachers' pay award, which the Government decide, was fixed at 3.1 per cent. This year, that will cost Birmingham an extra £9 million. Other pay and price increases will cost Birmingham an extra £21 million. Birmingham will have to find an extra £5.5 million to pay for the implementation of new legislation on pensions and waste disposal. Increases in the number of school children and elderly people in Birmingham will cost £5 million, yet the capital available for school buildings in Birmingham has been reduced by 40 per cent. The budget shortfall will cost 727 council jobs. Birmingham made savings of £20 million but still had to increase its council tax.

Mr. Mans: In view of what the hon. Gentleman said about Birmingham's spending limit, is it now Labour party policy to encourage all local authorities to spend up to their limit?

Mr. Dobson: As far as I know, it appears to be the Government's policy. I understand that speakers at successive Tory local government conferences have said that setting capping limits and such like has had the effect, even in Tory areas, of encouraging councils to spend up to their limit, which they might not have done if such limits had not been set. That may or may not be true, but it was certainly said at Tory conferences. The hon. Gentleman might be a better judge of whether what is said at Tory conferences is true, as he attends them more frequently.

The Government's revenue support grant for Greenwich has been cut by £4.13 million, and the council has held its increases in expenditure to just 1 per cent. although inflation in its services is running at about 3 per cent. Total Government support for Hackney has been cut by £5.2 million, the bulk of which represents a reduction in the money available for education in that borough. Tamworth, despite facing a by-election, has seen a reduction of £141,000, and the great city of Newcastle upon Tyne has had its rate support grant cut by £1.3 million.

I could go on and on citing examples of cuts that have been made, but I do not want to trouble the House by listing them at enormous length. All hon. Members know from their constituency experience that there have been local tax increases, increased charges and cuts in services, but that is not the end of the story.

This year's increase in taxes is not the only increase that the Government have in mind. On the day of the Budget, the Department of the Environment published figures showing that the Government expected the total amount of money taken from council tax payers to increase by £3.5 billion over the coming three years. That equals an increase of almost 2p in the standard rate of income tax—that 2p increase would raise the same sum of money from ordinary people as the £3.5 billion that the Government expect, were they to stay in power, to raise from council tax payers in the next three years.

That, of course, is not the only sign of the Tory commitment to increase council taxes. The former head of local government finance at the Department of the Environment said:

"Ministers want to increase the proportion of council tax spending from 21 to 26 per cent. by 1998-99 . . . The downside is that your taxes go up sharply".

That is certainly happening and was confirmed recently by the deputy secretary at the Department of the Environment in his evidence to a House of Lords Committee on relations between central and local government. He said of a 25 per cent. contribution on average from the council tax towards council services that it was

"as much as I felt the council tax could properly bear".

Mr. Pickles: Does the hon. Gentleman feel that the council tax in Camden would be lower if the council collected it and reached the average collection rate? Does he think that it would be lower in Haringey if it were collected there? Is the hon. Gentleman aware that most of the top 10 councils that collect the least taxes are Labour authorities and that they are responsible for £90 million of uncollected resources? Does he believe that the council tax could be reduced and services improved in such areas if the authorities collected the money?

Mr. Dobson: There is certainly scope for improvement in council tax collection—*[Interruption.]* I am answering the question. There is scope for improvement in the rate of council tax collection—

Dame Elaine Kellett-Bowman (Lancaster): What about collecting rents?

Mr. Dobson: And rent collection for that matter. If we are to bandy facts around, I have to say that the only reason why Brent does not feature in the lists of councils with massive council tax and rent arrears is that Brent has written them off to make the figures look better. As everyone knows—this of course applies to Brent—in areas where the people are predominantly poor, it is bound to follow that it will be harder to get rent and council tax out of them, as they find it hard to pay. There will always be some relationship between the standard of living and the level of income in an area and the council's capacity to collect taxes.

One line that the Government have been peddling—the Secretary of State has been doing the same—is that they would provide more money for schools. If more money is being provided for schools, it is no thanks to the Government. The Government have allowed councils to spend more of their own money on schools but have not provided any extra if we take into account inflation, the cost of pay increases and the increased number of pupils to which I have already referred.

Mr. Den Dover (Chorley): Will the hon. Gentleman give way?

Mr. Dobson: Hold on a minute. It is worth remembering that the Government have acknowledged that there was not enough money to cover the pay increases. They have had to accept that the teachers' pay increase should be phased in because councils would not have enough to pay it outright. That is an admission by the Government that the funds would simply not be available.

I make it clear that if, in the coming year, education authorities were to spend on schools what the Government think ought to be spent on schools, there would be not an increase in spending but a reduction of, on average, £41 per pupil across the country compared with the year just finished. I repeat that if education authorities spent to the Government's target in the coming year, there would be not an increase but an average decrease of £41 per pupil.

Mr. Dover: Is the hon. Gentleman aware that Lancashire council scaremongered and said that this year there would be a further reduction on school spending of 8 per cent. on top of a cut of 5 per cent. last year? The Government have in fact given £26 million extra to Lancashire this year and, at long last, the chairman of the education committee has admitted that there will be a real increase in spending, which is quite different from the scare stories that he was spreading a few months ago.

Dame Elaine Kellett-Bowman: Scandalous.

Mr. Dobson: Compared with Conservative Members, it beggars belief to refer to anybody in the Labour party as scandalous when it comes to scaremongering. I do not have at my fingertips figures on the circumstances prevailing in Lancashire. All I know is that, generally speaking, Lancashire county council has been trying hard to provide decent services to the people of Lancashire and has been making a pretty good fist of it. It is a pity that it has not had more help from the Government—or, from time to time, more help from Tory Members representing Lancashire constituencies in arguing with the Government to get some resources for the county.

Mr. Harry Barnes (North–East Derbyshire): Is it not a fact that Lancashire, like Derbyshire, has the largest primary classes of any English shire—an average of 27.9 pupils across the whole area? That is indicative of its financial problems as a result of the Government.

Mr. Dobson: I freely admit that my hon. Friend, who is very familiar with Derbyshire and who has obviously been looking around for comparisons and spotted that Lancashire is in similar circumstances, displays more expertise on the matter than I. I congratulate him on pointing that out.

Dame Elaine Kellett–Bowman: The hon. Gentleman should be aware that the reason why class numbers are high in some parts of Lancashire is that, unfortunately, the county council chooses to keep open surplus places in east and central Lancashire secondary schools, where the population is falling, thus depriving north Lancashire of teachers that it should have.

Mr. Dobson: One of the problems that education authorities face these days in getting rid of surplus classes, or indeed surplus schools, is the possibility that when they try to take the sort of action for which the hon. Lady seems to be calling, the people in the schools concerned will go rushing to the Secretary of State to say, "Can we opt out?", and that there is a reasonable chance that, on base political grounds, the Secretary of State will agree. Virtually everybody connected with education, including some officials at the Department for Education and Employment, acknowledge that that is true. I suspect that even some officials at the Department of the Environment might think that it is true.

My hon. Friend the Member for Bolsover (Mr. Skinner) raised the question of Derbyshire's fire service settlement. I must repeat to Conservative Members that, unless they happened to be absent for the vote, they voted for the general local government settlement. It is worth reminding them what that settlement has provided for fire authorities around the country. The Tyne and Wear authority will have £2.3 million less to spend than it had last year on the fire service. In Wiltshire, although the deficit is just £260,000, it is not a large brigade and that is quite a lot of money. On Merseyside, the cuts contemplated range from £2 million to £6 million. In Cambridgeshire, the figure is £700,000. In Essex, Labour county councillors have proposed cuts of £1.5 million, but Conservatives and Liberals are still gnawing on the bone over whether to make much bigger cuts and reduce spending on the fire service by between £3 million and £4 million.

In the west midlands, councils are discussing how to reduce spending by £4.7 million. In Greater Manchester, £2 million is having to be found through cuts. In Nottinghamshire, fire service spending is being cut by £80,000. North Yorkshire is looking at a total reduction of £3 million over three years. Difficulties in Humberside have been exacerbated by the disappearance of the county and all the uncertainty surrounding it. In Derbyshire, as my hon. Friend the Member for North–East Derbyshire (Mr. Barnes) pointed out, a reduction of £700,000 is being looked at. Surrey is considering a reduction of £2.5 million in fire service spending over three years. I have not got the figures for Buckinghamshire, but I know that it has decided to close three rescue units. In Hampshire, there is a reduction of £500,000, and in Greater London the cuts amount to £8 million.

Everybody in the country knows that Tory Members of Parliament and Tory Governments play fast and loose with people's safety, but they are not entitled to play fast and loose with people's safety when it comes to the fire and emergency services. Nor are they are entitled to play fast and loose with the safety of firefighters who risk their lives daily for the rest of us. As my hon. Friend the Member for Bolsover also pointed out, when there is an emergency, Ministers leap to the Dispatch Box to pay tribute to the emergency services. Some of the people in the emergency services feel that it would not be too bad if they were paid some pay from time to time.

Mr. Gerry Sutcliffe (Bradford, South): I compliment my hon. Friend on his points about the fire service. He did not mention West Yorkshire, but I am sure that he would have done if time had permitted. West Yorkshire has minimum fire cover, the reserves are all spent, and in Bradford, which has a population of 490,000, there is one high turntable ladder, which cannot assist in emergencies at high-rise flats.

Mr. Dobson: I entirely agree with my hon. Friend's point. All the cuts may seem fine to people with clipboards and stop-watches—accountants and various other people—but they do not look too good to someone whose house, whose neighbour's house or whose place of work is burning down.

The other thing about which there is nothing new is how the Government have rigged the grant system. As I have said, they have rigged it in favour of Westminster. All that grant-rigging is still based on the assessment of deprivation. The Government, inspired, no doubt, and advised by experts, have concluded that Westminster is the fourth most deprived place in Britain. I know that not all Westminster comprises Mayfair and Belgravia; nevertheless, Mayfair and Belgravia form a substantial part of it. Nobody in their right mind believes that Westminster is more deprived than the constituency represented by my hon. Friend the Member for Easington (Mr. Cummings). In terms of wealth and income of the people who live in Easington, it is one of the least well-off places in Britain. *[Interruption.]* If Conservative buffoons do not realise that, given the effects of all the pit closures, they are not even fit to sit on the Conservative Benches.

According to the Government's scale of deprivation, Easington, after all the pit closures, comes 338th in the priority of deprivation, whereas Westminster comes fourth. While Westminster comes fourth, Warrington is 337th, Stockport is 295th, the Forest of Dean is 257th and Erewash

[Mr. Dobson]

in Derbyshire is 228th. According to the criteria laid down by the Government, Chorley in Lancashire, whose Member of Parliament has just been on his feet, is 194th—190 places behind Westminster in the scale of deprivation. The result of those infamous assessments is that Westminster coins it while other areas have to do without.

As I have done before, I shall give a list of the council taxes that other areas would have had to charge if they had received the same amount of help per head as Westminster. Let us take Tamworth. If Tamworth council had received the same amount of help per head as Westminster, it would not have needed to levy council tax at all. This year, it would have been able to give a rebate of £969 to every council tax payer. In Milton Keynes, the council would be able to pay out a rebate of £692. In Peterborough, represented by the chairman of the Tory party, the council would be able to pay out an £863 rebate. In Basildon, famed in Tory song and story, the council would be able to pay out a rebate of £615. In the borough of Trafford, the council would be able to pay out a rebate of £527. In Oldham, the council would be able to pay out a rebate of £145 and in Rochdale, the figure would be £303. In Cherwell, a good, solid Tory area, the council would be able to pay out a £925 rebate. The figure for Wyre Forest would be £855 and in the great city of Southampton, the figure would be £972. That is the amount that the council would be able to pay out, rather than having to take in any council tax, if it got the same level of help as Westminster does.

The same unfairness characterises education. With the massive amount that the Government allow Westminster for education per pupil, Staffordshire would be able to take on 4,895 extra teachers and it would not be contemplating job losses in schools this year. Bedfordshire would be able to take on an extra 2,000 teachers, Oldham an extra 1,000 teachers, Rochdale an extra 850 teachers, Essex an extra 5,300 teachers and Kent an extra 5,600 teachers if they got the same level of help per pupil as Tory Westminster gets. Those figures demonstrate the scale of the racket. All this is because the Government regard Westminster as the fourth most deprived place in Britain.

Four is a magic number for Westminster because the Audit Commission's most recent figures show that people living in Westminster pay only 4 per cent. towards the cost of the services provided by the council and that the Government divvy up the other 96 per cent. I suggest that Tory Members have a lot of explaining to do to their constituents.

The chairman of the Tory party represents Peterborough, although, as we all know, he is doing a bunk under the chicken run and going to somewhere safer. His constituents in Peterborough have to pay 25 per cent. of the cost of providing local services. People in Milton Keynes have to pay 35 per cent. and people in Basildon have to pay 42 per cent., 10 times the proportion that people living in Westminster have to pay towards council services. In Corby, the figure is 48 per cent.; almost half the cost of services has to be met by local people, whereas the figure for Westminster is just 4 per cent.

Mr. Robert G. Hughes: The hon. Gentleman is talking about percentages. Does he agree—I do not think that the figure is disputed—that compulsory competitive tendering has saved 7 per cent. of the costs of local government services? Does he know that his promise to get rid of compulsory competitive tendering is, in the words of *The Guardian*, a dangerous capitulation to the trade unions? Is that not what he is about? Is he not about destroying services and trying to mislead people rather than putting forward a policy?

Mr. Dobson: The hon. Gentleman is up a gum tree if he thinks that I will be embarrassed by quotations from *The Guardian*. I will give a quotation from the Audit Commission. If we are talking about the value of compulsory competitive tendering, let us see how it performs in Westminster. Profligate Westminster, which gets all this money from central Government, which put poor families in asbestos-ridden blocks and which organised the misspending of £29 million of public money for party political advantage, is so badly mismanaged, even with compulsory competitive tendering, that refuse collection and disposal costs £55 per head of population and street cleaning costs £36.42 per head of population. That is the highest figure in the country by miles. Many of Westminster's other services are equally grotesquely expensive.

Let us compare the figures with those for the borough of Camden—part of which I am proud to represent. It is literally next door to Westminster, so it faces roughly the same cost conditions. In Westminster, refuse collection and disposal costs £55 per head whereas Camden's service costs £22. Westminster's street cleaning costs £36 whereas Camden's costs £14.83. That shows the better bargain and better value that Labour Camden gets compared with Westminster. All over the country, Labour local government provides good services and good value for money. Nothing the Tories say will shift people's opinion that they are better off with a Labour council and that is why we control 200 local authorities while the Tories control just 13; they may lose four of them in the local elections.

Mr. Deputy Speaker: Before I call the next speaker, I have a brief announcement to make. Following today's business statement, I have been asked to notify the House that Members wishing to submit amendments to the Prevention of Terrorism (Additional Powers) Bill may do so tonight in the Public Bill Office. An informal list of amendments submitted in this way will be made available in the Vote Office before 10 pm this evening. A more formal marshalled list of amendments will be made available in the course of the Second Reading debate tomorrow.

6.6 pm

The Secretary of State for the Environment (Mr. John Gummer): I beg to move, to leave out from "House" to the end of the Question and to add instead thereof:

'congratulates the Government on the rigorous approach it is taking towards all public expenditure, including that of local government; commends the clarity of their approach towards taxation and the funding of local services; and urges local authorities to make the most efficient use of the resources available.'.

The speech by the hon. Member for Holborn and St. Pancras (Mr. Dobson) was entirely in keeping with April fools' day. He managed to choose the worst

possible ground on which to attack the Government and, as usual, he managed to make the worst possible case on that ground.

Before I respond to such points as one can remember from the speech, it is worth reflecting on why the Opposition chose this subject for debate. In one of his earliest pronouncements as leader of the Labour party, the right hon. Member for Sedgefield (Mr. Blair) asked the public to judge the Labour party on its achievements in office locally and not on its rhetoric. He said:

"I don't think the character of any party becomes clear until you're in power."

Those words have now come back to haunt him.

The council tax bills and the Audit Commission's performance indicators, both published two weeks ago, show categorically that people pay more and get less under Labour councils. The right hon. Member for Sedgefield is, therefore, desperate to avoid being judged on that record and he has sent the hon. Member for Holborn and St. Pancras to defend him. That is why we are having this debate today, that is why the hon. Gentleman has come forward to explain all about the council tax and that is why the Labour party is so embarrassed. It is embarrassed not only by the record of Labour local government, but by the chasm between what Labour says in soundbites in the television studios and what happens when it is in power locally.

The fact is that Labour remains the party of high taxes and high spending. The hon. Member for Holborn and St. Pancras did not quote two figures. First, that Labour councils charge 50 per cent. more in council tax. Secondly, although pressed by my hon. Friend the Member for Brentwood and Ongar (Mr. Pickles), the hon. Gentleman never said how much the Labour party would have given to local authorities. He told us that the figure was not high enough, but he never told us what the figure should have been.

We can all say how much more we would like to spend on this, that and the other, but in the end, we have to say, if we are to be believed by anybody, how much we would have spent. The hon. Gentleman did not tell us. We tried, some time ago, to find out. We pushed him and we asked him, and he finally said that he would not tell us because, if he did, we might pick the figure to pieces. We would do that because Labour has said that it would not spend any more. It is frightened that we might note that the reason why taxes are higher—

Mr. Dobson: That is not what I said.

Mr. Gummer: The hon. Gentleman says that he did not say that. I shall give way to him if he promises to tell me how much extra money he would have spent if he had been in government today.

Ms Armstrong: The Conservatives never did that in 1978.

Mr. Gummer: How much extra money does the hon. Gentleman believe councils ought to have?

Mr. Dobson: I said that the council tax increases have been knowingly brought about by the Government. They know that, and it is no use them trying to blame Labour councils or anybody else—the Government are responsible for the council tax increases.

Mr. Gummer: I have given the hon. Gentleman a chance after his long speech to give the figure, but he has still not done so. That makes incredible any claim that he makes that not enough money has been given. Unless he can say how much he would give, he is not credible and no sensible person will be able to take what he says seriously. Even if they have not heard his speech, they could not take him seriously.

Mr. Robert G. Hughes: My right hon. Friend, who was concentrating on the hon. Member for Holborn and St. Pancras (Mr. Dobson), may not have noticed the hon. Gentleman's deputy, the hon. Member for North-West Durham (Ms Armstrong), screeching that we did not tell people in 1978 how much we would spend. May I suggest to my right hon. Friend that the hon. Lady is wrong? We made clear at the time that we would not be spending a single penny more, and that councils would have to use their money better. Labour is trying to bribe people into believing that they would get more money.

Mr. Gummer: If it were in power, Labour would either provide more money—in which case it would have to take the money from somewhere else or push up all taxation significantly—or it would not, in which case it is misleading its own members in councils around the country.

Mr. Clive Betts (Sheffield, Attercliffe): Will the Secretary of State give way?

Mr. Gummer: I will in a moment, but I want to get through this part of my speech. It is important that the House listens carefully to what I am suggesting.

The Leader of the Opposition says that education is Labour's number one priority. Yet all around the country, Labour councillors are busy diverting the extra money that they have been given or have been allowed to spend from education into other areas. Having been allowed to spend the money, Labour councillors are spending it on the things that they want, and not on education that the public want. The Leader of the Opposition says one thing, but Labour councillors do another.

Mr. Betts *rose—*

Sir Peter Fry (Wellingborough): Will my right hon. Friend give way?

Mr. Gummer: I shall give way to the hon. Member for Sheffield, Attercliffe (Mr. Betts) first, but I will come back to my hon. Friend the Member for Wellingborough (Sir P. Fry) later.

Mr. Betts: Will the Secretary of State move from his imaginary figures to the real ones in the Government's own Red Book? The Chief Secretary admitted to the Treasury Select Committee that council taxes would rise by about 8 per cent. as a result of the Government's own policies because the Government were cutting grants and

[Mr. Betts]

throwing the burden on council taxes. Will he now confirm that there are similar figures for each of the next two years? Does that not amount—in the Government's own forecast—to an increase of 25 per cent. in council taxes in the next three years? Will that not result in councils having to bear 26 per cent. of total local authority funding, rather than 21 per cent. as at present?

Mr. Gummer: I can confirm that the Labour party—in the presence of Sir Jeremy Beecham—suggested that council taxes would go up on average by 10 per cent. In fact, they have gone up on average by just over 6 per cent. The difference between the figures is very clear, and the increase does not tally with any of the figures given by the hon. Gentleman.

Sir Peter Fry: Will my right hon. Friend accept confirmation from Northamptonshire of the points that he is making? After making many representations to the Government, the council obtained a 6 per cent. increase in the amount of moneys available to be paid to school governors for the year just started. But the Labour-controlled Northamptonshire county council—after screaming for months about teachers losing their jobs and increasing class sizes—has not passed all the money on and has kept back something like £2 million.

Mr. Gummer: I agree with my hon. Friend, but he is extremely lucky. In Labour and Liberal-controlled Suffolk, the local council could have spent £11.5 million but is spending £8.5 million. It has written one of the longest letters ever by a local authority to its head teachers and governors to explain why instead of spending the money on education—because it is spending the money, of course—it is spending it on things that it thinks are more important. The Leader of the Opposition—supported by the Liberal Democrats—talks about education as his great priority. Yet Labour councils around the country are not spending the money on education.

It costs someone living under a Labour council—whether it is this year, last year or the year before—50 per cent. more than someone living under a Conservative council. The Government do not set council tax bills—the local authorities do. Nobody forced Labour and Liberal Democrat councils to increase their council tax bills, and to increase them by more than Conservative councils. Nobody forced them to reduce services—they have chosen to do so. Why? Because they failed to use the methods by which they could get better value for money.

Mr. William O'Brien (Normanton): Will the Secretary of State give way?

Mr. Gummer: I will in a moment. I want to explain the methods so that the hon. Gentleman can take them back to Wakefield—a council that I am sure would like to know them.

For all the various budgets proposed by Labour councils—those are enormous in many cases—an alternative is proposed. Labour-controlled Birmingham—mentioned by the hon. Member for Holborn and St. Pancras—increased its band D council tax by £76. But the Conservatives' shadow budget proposed a zero increase. There is no need for the council tax to go up in Birmingham. The council tax could remain at the same level, and services could be improved by Birmingham being run more efficiently. The fault in Birmingham lies neither with the people nor with the Government, but with the Labour council. The tax increase of £76 is a Labour tax increase. One pays more and gets less under Labour.

The hon. Member for Holborn and St. Pancras had the effrontery to talk about Labour's education policy in Birmingham. But the Labour party had a putsch on its leadership in Birmingham because it had not spent the money on education, and had spent it on the very things for which the hon. Gentleman was lauding the council.

Mr. Dobson: Does the right hon. Gentleman believe that it was or was not right for the city of Birmingham to build the international convention centre?

Mr. Gummer: I am referring to comments by Councillor Theresa Stewart who, in seeking a change of policy, suggested that the priorities of Birmingham city council had been wrong and that the money ought to have been spent elsewhere. I stand by that. My point is not whether this or that particular decision was right, but that the Labour party in Birmingham is deeply divided about what should have been done. The Conservatives have offered a way in which Birmingham could have no rise in council tax under the Government's grant system. Birmingham's tax is therefore a Labour tax.

Enfield is putting up its tax, while the Conservatives would be able to cut £20 of band D council tax. In Kent, the Conservatives have proposed a council tax rise of 2.9 per cent., but the Labour and Liberal Democrat council had to put it up by 5.6 per cent. In all those places, the Conservatives have said what they would spend. They have given the figures, and are prepared to stand by them. The Labour party is a disgrace because it will not give any figures. It is afraid to do so. Labour could either give figures that show that it is fiscally sensible—in doing so, it would deny the hon. Member for Holborn and St. Pancras' whole case—or figures that would clearly demonstrate that Labour is the raising-tax and lowering-service party that we all know it to be.

Mr. William O'Brien: I appreciate the opportunity to intervene in the Secretary of State's speech. If Wakefield had the same rate support grant distribution as Westminster, we could spend a further £600 per head on secondary school education. I am using the same performance indicator figures to which the Secretary of State referred. What does the Secretary of State say to those figures?

Mr. Gummer: Why does the hon. Gentleman not do himself better than that? Why does he not compare Westminster and Wakefield under a Labour Government? He would make even better figures for himself. The Labour Government were even more helpful to Westminster proportionately. Or why does he not look at Tower Hamlets? Why does he not say to himself, "If only we had the money that Tower Hamlets has."? Then he would discover that he could spend even more money per secondary school pupil. The hon. Gentleman knows perfectly well that the figures that come out of the system are entirely independent.

They are based upon need. He knows perfectly well that that is true because when Labour was in power it gave Westminster a higher proportion than we do.

Mr. Jacques Arnold: My right hon. Friend mentioned the increase of 5.6 per cent. in the precept of Kent county council, which is now Labour-Liberal. As the Government gave a more than 4 per cent. increase in central Government finance, people in Kent object to the fact that the increase for the schools is very much less than either figure—only 3.4 per cent. That bears out the fact that Kent people under the Liberals and Labour are having to pay more to get less.

Mr. Gummer: Before I respond, I should like to offer the House an idea. There is a kind of meter in the House. When the hon. Member for Holborn and St. Pancras, who sits for part of Camden, laughs or giggles, we know that he is on a weak point. If the House watches, it will notice that whenever he laughs it is because we are right and he is wrong. It is what I call the giggle factor for the hon. Gentleman and it is one well worth watching out for. It is almost infallible—not quite, but almost.

Kent is a very badly run council. It was a very well run council and I am sorry that Kent, with its particular system at the moment, should have made education so much less a priority than my hon. Friend the Member for Gravesham (Mr. Arnold) would want and that the Government have sought to give it the means to do.

Of course, one has to remember that the views that I am putting forward are not only my own. They are independently supported. I was interested to see the article by Dido Sandler in yesterday's *Independent on Sunday*. She concluded, rather interestingly, on the question of the difference between a Labour and a Conservative council, that:

"one of the best ways of saving money on your council tax is to move. If you tot up what Band H taxpayers in the London borough of Lambeth have contributed over the past six years, compared with their peers in neighbouring Wandsworth, the difference is enough to buy a car.".

That is the difference. In Lambeth under Labour the council tax went on and on going up, even though the council received more money from the taxpayer than Wandsworth.

There is not even a scintilla of truth in the nonsense that the hon. Member for Holborn and St. Pancras has been talking. If one compares Lambeth and Wandsworth, one discovers that Lambeth, with more money from the taxpayer, pushed its council tax up time after time while Labour was in control. Now that no one is in control, the council has been able to cut the council tax as it was never able to do when Labour ran it. So not only is Labour more expensive than Conservative, it is more expensive than having no one in control. It is more expensive to have a Labour council than to let it rip and let anyone run it—to let whatever collection of people turn up for a meeting run the council. It is a wonderful situation. Labour is worse than any coalition of anyone who happens to turn up on any day.

The Liberal Democrats are not as bad as Labour. People pay only 30 per cent. more on average with them. People pay 50 per cent. more with Labour. The gap between Conservative and Lib-Lab local government has been widening. It has got worse, not better. The only excuse that there could be is that the services are better for the higher price. That is the only argument and that is what Labour has said.

So I have looked carefully at the wealth of information produced by the Audit Commission comparing the performances of councils. Indicator after indicator shows that Labour councils provide a poorer service. People are less likely to get their housing benefit, council tax benefit or rent allowance paid on time if they live under a Labour council; less likely to have planning decisions made on time; and twice as likely to find a street light not working. They wait longer for vital equipment after a social services assessment. Labour councils have a higher proportion of their homes empty and available for letting, they take longer to re-let dwellings and they have a greater proportion of tenants in rent arrears.

So why do Labour councils cost so much more? First of all, they have to make up for the taxes that they fail to collect. My hon. Friend the Member for Brentwood and Ongar (Mr. Pickles), who interrupted the hon. Member for Holborn and St. Pancras, was right. In 1994-95, Labour councils failed to collect more than £250 million in council tax. That money could have been spent on teachers and new equipment in schools, on extra home helps or on other local services. It could even have been used to cut the council tax. But none of those things was done.

Mr. Sutcliffe: Will the Secretary of State give way?

Mr. Gummer: I should like to give the second reason and give an example, and then I will give way.

Secondly, Labour councils do everything that they can to stifle competition and keep local services under the control of their trade union paymasters. As a result, they end up paying more for inadequate services run by trade unions that bankroll the Labour party. I shall give two examples of that. The first is from Brent.

Under Labour, Brent was a byword for shoddy services and high taxes. Even the hon. Member for Brent, East (Mr. Livingstone) accused Labour-run Brent of being "monumentally incompetent". He had all the experience of the Greater London council so he knew what incompetence was. If he said something was incompetent, he meant it, and monumentally incompetent must mean something absolutely unbelievable.

Under the Conservatives, Brent has the fourth lowest council tax in London. It is the only authority in England to have cut its taxes in each of the past six years. MORI polls show that overall customer satisfaction in that borough has increased by 18 per cent. since Labour was removed from office. The council has won a record seven charter marks. These remarkable achievements are not matched by any Labour council in the land. That is what happens under the same grant system when a council changes from Labour to Conservative.

Mr. Dobson: Will the Secretary of State give way?

Mr. Gummer: In one moment. I promised the hon. Member for Bradford, South (Mr. Sutcliffe) that I would give way to him and then I will certainly give way to the hon. Gentleman.

I ought to be perfectly fair and have a look at a council neighbouring Brent. Islington, the Leader of the Opposition's own authority, exemplifies the record of

[Mr. Gummer]

Labour local government. Islington spends the third highest per head of population in the country yet its results are appalling. It is the slowest council in London, and the second slowest nationally, in deciding planning applications; it is the third worst council for the average time taken to re-let properties; it has just set the sixth highest council tax in the land.

There is a problem here because Islington does not quite know how it did it. The Audit Commission confirms what we already knew from the recent district auditor's report—that Islington cannot even measure how bad it is. Time and again the Commission expresses "doubts" about

"the council's arrangements for producing the required information".

Islington does not know the percentage of items of equipment provided within three weeks for those in desperate need. It cannot tell the percentage of over-75s helped to live at home. It is not sure of the percentage of adults going into residential care who are offered single rooms. It does not have the figures for the percentage of household waste recycled. No one is certain of the percentage of householder planning applications decided in eight weeks. It does not know, it cannot tell and it does not care. As long as the unions in Islington are happy, it does not care. That is the problem with Labour councils that charge people more and provide them less.

Mr. Sutcliffe: I am a little confused. If the right hon. Gentleman follows the logic of his argument that Labour authorities are bad and Tory authorities good, why are there only 13 Tory authorities and 200 Labour councils?

Mr. Gummer: That is something that will soon be remedied as people realise just what it is like to have a Labour council. I have no difficulties about that. We shall soon see.

Mr. Dobson: The right hon. Gentleman claimed that it was simply to Brent council's credit that it had managed to reduce its council tax. Does he think that its ability to reduce that tax was enhanced by the letters that the leader of the council sent to the special Tory adviser at the Treasury, the local government desk officer at Tory central office and the special adviser at the Department of the Environment in July 1994, saying that he had had discussions with them and asking them to ensure that there would be

"no swingeing increases in the level of Council Tax set by the borough next year which could then lose us control of the borough"

and expressing the hope that the Treasury would agree to provide enough funding. Does he think that that might have had a little to do with what the council tax turned out to be in Brent?

Mr. Gummer: As the Treasury does not decide, the figures are done on exactly the same basis for each of the London boroughs and there was no change whatsoever in the way in which Brent was dealt with, the hon. Gentleman can answer his own question without any difficulty. The trouble with the hon. Gentleman is that he is keen on trying to spread any rumour he likes in any way in likes because he is trying to imply something that is manifestly not true and he ought to be a little more careful.

This year's settlement struck a fair balance between the needs of local government and of the economy as a whole. The total standard spending for England will be £44.93 billion—a huge amount and an increase of £1.42 billion or 3.3 per cent. That shows the importance that we attach to local government services. We have provided a 4.5 per cent. increase in provision for education and 6.9 per cent. for personal social services, including £418 million in transitional community care special grants.

The hon. Member for Holborn and St. Pancras believes that this year's settlement is inadequate, but he never tells us by how much or what he would do. He never says what a Labour Government might do, could do, think of doing or might have to put off doing. The real and the only conclusion—after the hon. Gentleman's speech it is a simple conclusion—is that he neither understands the system nor knows what he would do if we were ever so stupid as to put him in power.

The hon. Member for Holborn and St. Pancras believes that the settlement is wrong because local taxpayers are meeting slightly more of the cost of local services. I am surprised that he should say so because the Labour party's local government policy document, "Renewing Democracy, Rebuilding Communities" says that Labour

"believe that it would be better for local people and make for a healthier democracy if councils were responsible for raising locally a much higher proportion of the money they invest and spend".

I emphasise the words "much higher proportion". It is not some small amount. That is what Labour wants.

I have heard Opposition Members mention the business rate. Oh yes, they would like to have that again because it does not make them responsible at all. The policy document cannot mean that, however, because it states that

"it would be better for local . . . democracy",

but the business rate means that one can charge anyone anything one likes without it having an effect on local democracy.

Indeed, when local authorities administered the business rate, what happened? It meant that the John Lewis Partnership paid three times as much per square foot in Newcastle as it did in Westminster. That was under a Labour Government. Why did the centre of Newcastle almost close down? It was because Newcastle city council taxed people out of existence. When the friends of the hon. Member for Sheffield, Attercliffe (Mr. Betts) were in power in Sheffield, why could one not find a business that would not have moved out of the city if only it could have found someone to buy its premises?

That is what happened under the business rate, so it was not surprising that when the Royal Institution of Chartered Surveyors brought together business men of all kinds, including the Confederation of British Industry and all the other organisations, the one thing that they were all agreed about was that the business rate should continue to be centrally organised and protected so that it could not rise above the rise in the cost of living. Why? Because the Labour party can never be trusted not to put its hands into other people's pockets and the business people of Britain know that. They also know that the north of England has benefited enormously.

The hon. Member for North-West Durham (Ms Armstrong) had better listen. The £800 million that was levied by Labour councils in the north was no

longer levied once the universal business rate was put into operation. She fought for the retention of Cleveland. We know about her—

Ms Armstrong: I did not.

Mr. Gummer: I am sorry. The hon. Lady did not want Cleveland. She was in the other bit of the Labour party—the bit that did not want Cleveland.

Ms Armstrong: The right hon. Gentleman really means my hon. Friend the Member for Redcar (Ms Mowlam). It is about time that he learnt to distinguish between Opposition Members. Just because we are women, it does not mean that we are all the same.

Mr. Gummer: I am sorry. The hon. Lady jumps to the defence of her hon. Friend, who was on the other side over Cleveland. I know which side the people of Cleveland were on—they were universally against Cleveland. I am pleased to say that one of the most popular measures I have ever taken was to confirm the demise and removal of Cleveland.

I was amazed to discover that the hon. Member for Holborn and St. Pancras dared to stand up and tell me that Labour-controlled Middlesbrough had reduced its council tax. Hon. Members may wonder why. It was because there is no Cleveland any more. Without the incubus of Cleveland, the council has been able to be more sensible. Not sensible enough, however. People would be much better off if the council were Conservative-controlled because they would be paying 50 per cent. less.

Mr. Dobson: Most unusually, I am almost at a loss for words. The Secretary of State says that the abolition of Cleveland has led to a reduction in the council tax in Middlesbrough, which is Labour-controlled. How does he account, therefore, for the increase in council tax in Redcar and Stockton, which are also Labour-controlled and also in Cleveland?

Mr. Gummer: If I lived in any of those places, that is the first question that I would ask. Why is that Labour council even more incompetent than that in Middlesbrough? I would be banging at the council's door for an answer. I hope that the hon. Gentleman would be in the lead, asking the council, "How is it that even the loonies next door can do better than you?" That is what I would be asking.

The hon. Member for Holborn and St. Pancras went on about the money that Westminster gets for daily visitors. I was interested to hear that because Westminster gets 5 per cent., but Labour-controlled Norwich gets 7 per cent., Labour-controlled Cambridge gets 8 per cent., as does Labour-controlled Great Yarmouth, and the independently controlled—just to be absolutely independent—West Somerset gets 10 per cent. I wonder why the hon. Gentleman did not mention any of those and why they did not come high up his list. I wonder whether he has visited Cambridge recently to say anything about the parking charges. It is noticeably one of the worst councils in Britain and it has the smelliest car parks in Britain. It also has one of the most dangerous car parks in Britain. The fact of the matter is, however, that it raises a lot of money in car parking charges and yet it gets a percentage that is significantly higher than that received by Westminster. Why did the hon. Gentleman not mention Cambridge? Did he not know about it, or is it because those other councils are Labour-controlled and Westminster happens to be a Conservative-controlled council?

The hon. Member for Holborn and St. Pancras knows that the system under which we work is fair and honourable. We worked it out with all the local authority organisations. What the hon. Gentleman said about Westminster is totally countered, first, by the fact that it did proportionately better under Labour than it has under the Conservatives and, secondly, by the fact that no one in local government believes him. None of the experts believes him. But, he never listens to experts. That gives me a grave problem because I listened to his speech extremely carefully and I cannot imagine to whom he listened when he wrote it. No Front Bench spokesman could have written such a speech. It was wrong from beginning to end. He has not checked any of his facts and has not been to the councils. Even the charming comments by the hon. Member for North-West Durham will not cover the fact that the speech was unworthy of the Opposition's local government spokesman. Local government deserves better than it gets from him.

I want to remind the hon. Member for Holborn and St. Pancras of one that he did not run—perhaps he did not remember it—this time: the old line that it was not true that Labour councils cost more than Conservative councils because that was true only if like was compared with like. If one compared like with unlike, it could be proved that Labour charged less. To that Mr. Peter Kellner rightly said:

> "I dissected Labour's assertion that its councils charged householders £40 less tax. I showed that this figure had nothing to do with the financial prudence of Labour councils, and everything to do with the tendency of Labour voters to live in the less affluent parts of Britain: as a result, homes in Labour areas tended to fall into lower Council Tax bands and this was why average Council Tax was lower. I went on to show that the proper way to judge the figures was to compare like with like—say Band D figures, council by council . . . [Labour's] claim is as misleading as it ever was . . . On this issue, Labour is wrong and Tories are right."

The fact is that not only on this but on every issue that he raised, the hon. Member for Holborn and St. Pancras has been wrong.

My hon. Friend the Member for Cardiff, North (Mr. Jones) will deal at the end of the debate with the matters that have not been covered so far and with matters relating to Wales. Many of us wonder how we can discuss council tax without the Labour party raising anything to do with Wales. Could it be that it is afraid to field the shadow spokesman for Wales who, of course, is not being allowed out at the moment? He is not being allowed to say anything on anything lest he should do what he normally does and say the wrong things on everything.

Mr. Betts: To get back to proper comparisons, will the Secretary of State confirm that when the Government began to compare council tax in different authorities, they used the average value as the fair one? Only when they found that that favoured Labour authorities, which were costing people less, did they change the figures. Will he further confirm that the use of band D is misleading because if two authorities collect the same amount of money from the same number of properties but one has

[Mr. Betts]

lower value properties, that council will have a higher band D council tax than a similar authority with more higher value properties? That is a mathematical point. The Secretary of State should learn some maths before he quotes figures.

Mr. Gummer: The hon. Gentleman and I are biased on this so I will quote Peter Kellner, a well-known Labour supporter. He said:

"Gummer is right and Straw is wrong."

He is right. Gummer is right on this and Straw and the hon. Member for Holborn and St. Pancras, who follows him with rather less certainty, are wrong.

I thank the right hon. Member for Sedgefield (Mr. Blair) for tabling this motion. Without his kind intervention, we would not have had the opportunity of hearing what amounts to the Labour party's lack of a policy on council tax and council spending. The hon. Member for Holborn and St. Pancras has shown what we always suspected but now know to be true. He neither understands the system nor knows what he would do if he were ever in a position to do something. He has proved that Labour councils cost more and give less; that Labour puts taxes up and puts services down; that Labour's interest is that of the trade unions who work for councils not of the people who pay for local services; that Labour does not know what it would do but that its only answer on any issue is to yah-boo and to laugh. He would not be sitting in his place if he took local government seriously.

6.44 pm

Mr. Barry Jones (Alyn and Deeside): My hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson) made a typically sharp, robust and revealing speech. He put the inhuman algebra of revenue support grant and its formulae into the context of the poorest communities, and he was surely right to do so. His opposite number, however, delivered a tirade: the Secretary of State for the Environment made a typically combative and hectoring speech but forgot to say that his party has held the reins of power for 17 years. He forgot to say that his Government proposed and supported the iniquitous poll tax and other unpleasant legislation that was imposed during the 1980s. He then had the effrontery to accuse my party of effrontery. He raises posturing, wriggling, dodging and whingeing to the status of high parliamentary art and one has to admire his cheerful cynicism and aggressive bombast.

The record of Conservative Administrations on local government is abysmal. Intolerant, repressive and aggressive legislation has robbed Britain's councils of their free status and councils are in danger of becoming the poodles of central Government. The Government, and their predecessors under Mrs. Thatcher, have undermined and all but taken away the independence of our local government, and in so doing they have gone against the grain of Britain's local government history. Legislative attacks on local government hurt our body politic. Her Majesty's Government now dictate and control all but 11 per cent. of council spending. That cannot be right.

Local government is part of Britain's basic democratic foundations. It is currently fashionable to say that the Executive—that is, the Cabinet—is overmighty, that it dominates and dwarfs the House of Commons. That is often argued in the newspapers and sometimes in the Chamber. Certainly, since 1979 measures have been taken to downgrade local government in Britain and in Wales. Our councillors, who work very hard, feel that they are elected to carry the blame for policies imposed upon them and their local authorities by the Government.

The poll tax was the high point of the attack on local government by Conservative Administrations, but central Government are still throwing their weight about and we are caught short by inadequate central Government funding for our local councils. That is what the debate is about and we are all witness to the real difficulties that our councils face. All paths in this debate lead to the Cabinet room.

Central Government are clearly determined to cut Treasury taxes with the general election in mind. Council tax bills have gone up by around 6.2 per cent. for band D in England, but in Wales they have gone up by an astronomical 18 per cent. People in Wales are aghast and astounded at the severity of the increases, which represent a serious hike in the private domestic budgets of Welsh taxpayers. I must report to the House the resentment and apprehension felt in Wales at those increases. Our councillors are left with the difficult task of explaining the iniquities and machinations of central Government. It is their lot to explain why those increases have been forced on every taxpayer.

Wales is at the top of the league for low wages. That is a great problem. Local government finance policies therefore have serious implications and are a key factor in domestic budgets.

The Parliamentary Under-Secretary of State for Wales (Mr. Gwilym Jones): I am listening carefully to the hon. Gentleman. He referred to low wages, which prompted me to remember that he claimed that councillors are being downgraded. He pursued the theme that the Government are taking power away from local government, which leaves councillors less to do. If they have so little to do, does he approve of them paying themselves salaries of up to £24,000? Does he approve of the latest wheeze of setting up working parties to consider redundancy packages for defeated councillors?

Mr. Jones: I judge that intervention as an attack by a Welsh Office Minister on the work of councillors throughout Wales, of whichever party. My remarks will provide evidence of what I think of his argument.

Many of us suspect that the council tax allocation in Wales has been subject to foul play. We know that this is an election year and that there are precious few Conservative councils in Wales or, indeed, in Britain—so unpopular are the Government. The Conservative Government are therefore evading some of the responsibility for the increases in the council tax because they are not represented on the ground and do not have to answer for them. Although those increases have been imposed by the Conservatives, the Opposition parties are all too frequently expected to take the blame for them. In a general election year, I predict that the Conservative party chairman and others will blame luckless councils for those increases, which would be a travesty of the truth because the increases are the consequence of Government policy.

My hon. Friend the Member for Holborn and St. Pancras referred to the difficulties of the fire service. The North Wales fire service, which began its life today, is in great difficulties because it is desperately short of money. Everyone would agree, however, that it offers a life-or-death service. The leaders of the North Wales fire service have sought an urgent meeting with the Home Secretary. Should the Under-Secretary of State for Wales catch your eye, Madam Deputy Speaker, I hope that he will be able to tell us that that deputation will be received by the Home Secretary.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): I, too, represent north Wales. On Wednesday and Thursday last week I rang the Home Office to ask when that meeting would take place. The authority has not even received any written response from the Home Office. I was promised today that I would be told when the meeting would take place, but I have yet to receive a telephone call. That is disgraceful.

Mr. Jones: I made the same approach to the Home Office last week. As that brand-new, first-day fire service in North Wales faces major difficulties not of its own making, but of the Government's making, will the Home Secretary receive a deputation from the leadership of that authority? I emphasise that the personnel of the North Wales fire service, whom I know, are brave, dedicated and well qualified officers. I also declare an interest because Clwyd fire service made me an honorary fire chief. I can say with great sincerity that the Government have given that new, first-day fire authority a wretched allocation, and something must be done urgently if public confidence is to be maintained.

This year's council tax allocation in north Wales has also caused severe difficulties for the nationally famous Theatr Clwyd. The new Flintshire county council, in office just from today, has not been given enough money to keep open one of Britain's finest theatres—a theatre of excellence, with a national reputation and national support. When Clwyd county council died at midnight, the new unitary authority of Flintshire county council faced a colossal problem, because it has been forced to increase its council tax by 27 per cent. The neighbouring Welsh unitary authorities face the same predicament in terms of their council tax and the implications for Theatr Clwyd. Nevertheless, they have stumped up cash for the theatre as best they can. Yet the neighbouring English local authorities—Flintshire shares a border with Cheshire and other English authorities—have not contributed to its funding, although 50 per cent. of the theatre's audience are taxpayers from England.

The people of Flintshire and throughout Wales believe that the Secretary of State for Wales should introduce urgent measures to avert the risk of that theatre closing, and that he should release the £1.3 million that he has been considering using to write off its debt. If he fails to do so, the future of that excellent theatre is extremely bleak. Flintshire county council and the other unitary authorities in north-east Wales have made clear their commitment to the theatre, but it is now up to the Secretary of State to rescue that fine establishment.

We believe that our Secretary of State has given way unnecessarily to the Treasury on the council tax and local government finance. As a consequence, council taxes for Wales are significantly higher this year. Until now, successive Governments of all parties and the Treasury have always acknowledged the difficulties that Wales has faced as a result of the incredibly harsh consequences of the industrial revolution. That is not the case any more. To many of us in Wales, particularly Labour Members, it seems as though the Welsh Office has volunteered to receive less local government funding, even though most people would agree that Wales still suffers from social and economic problems.

Since 1979, there have been massive, titanic redundancies in Wales as a result of the decline in the steel and coal industries, followed by the textile, cement, brick and slate industries. The valleys in the south-east of my country are still haunted by the consequences of the coal mine closures. The region's social and economic problems are arguably the worst in Britain. The quarry communities of north-west Wales still suffer from a dearth of manufacturing jobs since the closure of the many quarries which produced the world-famous slate. In the steel towns of north-east Wales, we still feel the lash of the huge steel industry redundancies. In 1980, Alyn and Deeside suffered western Europe's biggest ever redundancy: between Christmas and Easter there were at least 8,000 direct steel redundancies and thousands of other redundancies.

When manufacturing redundancies occur in the steel, coal, slate, cement and textile industries, local authorities need to generate policies to regenerate their economies. The local authorities that I have been able to represent in the House over the years have always had first-rate policies and first-rate records and have delivered some real jobs. Our communities have been grateful. That will be difficult from now on, however, with revenue support grant falling so hopelessly short. The settlement for 1996-97 was seriously defective and the immediate outlook for regeneration—making real jobs and giving hope to communities stricken by redundancies in manufacturing—is poor.

My constituency labours under a total of 2,400 jobless citizens. In the area of the new Flintshire council, more than 4,000 people are out of work. In what until yesterday was the old county of Clwyd, more than 13,000 people were seeking work. School leavers do not get a fair deal where real jobs are concerned. The long-term unemployed lose heart. The young unemployed, in their tens of thousands throughout our nation, also lose heart. Why, then, are we surprised when we encounter increasing crime or witness drug and solvent abuse? Why are we surprised at vandalism and graffiti and attacks on elderly persons in their homes? Why are we surprised by those things when there is an absence of work for so many of our fellow citizens, especially those who are young?

A reasonable council tax settlement in Wales would have enabled the new unitary local authorities to make meaningful inroads on those problems. I want our local authorities to be able to tackle those problems, not to be restricted by a serious shortage of central Government cash and grants. Britain's councils have been let down by the Government, and ordinary people are having to take the strain. The budget of every household is under attack as a result of these deficient settlements, but the general election will surely put matters right.

7.2 pm

Sir Rhodes Boyson (Brent, North): Local government is always important. I believe that a healthy local government administration throughout the country is part of the spread of liberties and power.

I remember when we had much smaller local authorities than we have now. My first local authority, in Lancashire, covered only 13,000 people and was very well run. In the reorganisations of 20 or 30 years ago, it was brought into a large mass of other villages and towns and it has never been the same as it was. I am not saying that small is beautiful in every way, but it is especially important, where possible, to have small authorities that know exactly what is happening in their area and do not rely on knowledge gained at second hand.

This is an Opposition debate and there does not seem much enthusiasm on the Opposition Benches for it. The hon. Member for Alyn and Deeside (Mr. Jones), for whom I have great respect, has recently spoken, but he is an individual with a life-belt and no one else is around. There is no sign of anyone else concerned about the subject. It seems as though the Labour party has deserted local government—a fact that we should bring to the country's notice.

I lived through and talked through the issue of the community charge—the poll tax as it came to be called, and which it is being called by history. In theory, we were perfectly all right until one compared the rateable values of the small houses in the north with the big house at the end of the street. I prefer the new council tax system to the old rating system and I especially believe that it is good that we have a 25 per cent. discount for the single householder, which has helped many people, especially pensioners, to keep their independence.

My borough of Brent is always in the news, as some authorities always are. On the council tax, Brent's is a story almost unequalled in the country—one that I am delighted to tell, especially on behalf of the Conservative councillors instead of the Labour people, who are horrified by the great advances that are being made in Brent because they know that there is no way that they will be able to regain control.

Ms Armstrong: Corruption.

Sir Rhodes Boyson: The hon. Lady says "Rubbish". She may be an expert on rubbish. I do not usually collect it.

Madam Deputy Speaker (Dame Janet Fookes): Order. I am sorry to interrupt the right hon. Gentleman, but there seems to be an increasing tendency for Front Bench Members to conduct what one might call a running commentary. Those on the Front Bench or anywhere else should either seek to rise in the normal way and make an intervention or keep quiet.

Sir Rhodes Boyson: I welcome the defence of the Deputy Speaker. As a quiet man, I welcome the defence so that I can take my speech consecutively, paragraph by paragraph.

Brent is the only local authority in England that has reduced its council tax in every one of the past six years. In the first year, the council tax was reduced because a Conservative Government saved us when there was a Labour-Liberal administration in Brent, but in the other five it was done by the council cutting back.

Similarly, when the Conservatives came to power in Brent, four or five years ago, the council tax was the fourth highest in England and the fourth or the second highest in London, depending on whether one subtracted the discount. Now it is the second lowest in London if one subtracts the discount of 8 per cent. for paying in the first few weeks, which most people do.

Brent has moved from the top to the bottom of the expenditure league. It is a remarkable achievement, especially bearing in mind the fact that Conservative councillors in Brent inherited a debt of as much as £61 million from the sale and leaseback policy of the previous Labour administrations.

Mr. Nirj Joseph Deva (Brentford and Isleworth): I congratulate my right hon. Friend on Brent's achievements. As Member of Parliament for Brentford and Isleworth, which is in the borough of Hounslow, I ask my right hon. Friend whether he agrees that it is horrifying that council tax in Hounslow has increased by 7.4 per cent.—double the rate of inflation?

Sir Rhodes Boyson: I sympathise with my honourable colleague on this matter, because it is the people who have to pay—not we in the House, apart from our own payment—for the mistakes of a Labour or a Liberal administration that spends so much money. We can compare those administrations. As I have said, this year there has been another reduction in Brent. Band D has been reduced by just over 2 per cent., by £10, and to a pensioner that is a lot of money. I shall compare that with the record in some other authorities. The rate in Labour-controlled Camden is up by 13.2 per cent. this year, and in Liberal Democrat-Labour Barnet it is up by 6 per cent. Labour-controlled Greenwich is up by 17 per cent. Brent has had a reduction of 2.2 per cent.

Mr. Richard Tracey (Surbiton): Does my right hon. Friend know whether his fellow hon. Members for Brent, East (Mr. Livingstone) and for Brent, South (Mr. Boateng) share his admiration of the sterling work of the local council?

Sir Rhodes Boyson: I do not want to embarrass the hon. Members for the other Brent constituencies, but as my hon. Friend has drawn them to my attention perhaps I may be permitted to say that they are absent because they could not attack Brent council. The hon. Member for Brent, South (Mr. Boateng) is an Opposition Front-Bench spokesman, but it would be difficult for any hon. Member representing a Brent seat to attack a council which has reduced its expenditure to such an extent while maintaining its services. I shall come to those in a moment. I have no wish to upset anyone else in the House although there is a temptation to do that. I shall try not to tempt the hon. Member for North-West Durham (Ms Armstrong) into interrupting again.

Ms Armstrong *rose—*

Sir Rhodes Boyson: Please intervene.

Ms Armstrong: I am delighted that the right hon. Gentleman is taking part in the debate and I shall reply to

him in my speech. I shall give not only my view but that of many other hon. Members, including my hon. Friends from Brent. As I think the right hon. Gentleman knows, there are allegations of corruption in relation to how matters are proceeding in Brent.

Sir Rhodes Boyson: I am speaking about the administration in Brent and about how much it has improved services and cut costs. Obviously, the hon. Lady has nothing to say about that. My people have good services at reduced cost and the more that better services and reduced taxation are drawn to the attention of the public the better.

I am informed that Brent is the only council in this country to have gained seven charter marks in recent years. If any hon. Member knows of a council that has received eight charter marks he should say so. Among the awards were charter marks for libraries and arts and for the registration of births, marriages and deaths. With low taxes it is obvious that births will go up. Most of the parents are registering as Conservatives. Is it any wonder with such low taxation?

Another charter mark was for one-stop shops. There are such shops all over the borough and the staff in them have to solve problems in a short time. Whatever the problem, the caller has to receive an answer, and that is good: I like to see people having to provide answers, and I am told that they are good answers. They must have been, or the shops would not have got a charter mark.

There was a charter mark for student grants and awards. When Labour was in power in Brent, I had sackfuls of post every morning from people at university who had not got their grants. Perhaps the council had to pay for extra staff, but whatever it was that Labour-controlled council could not get the grants out. Sometimes it was the grant for one term and sometimes it was for two, but some of the students had graduated and grown beards before they got the grants. Last year, I did not receive one letter about delays in grants.

Ms Armstrong: Will the right hon. Gentleman give way?

Sir Rhodes Boyson: Yes, this is very nice.

Ms Armstrong: How many complaints to the ombudsman were found to be right? Will he confirm that it was, I think, 57—I shall check that—and that no other council in the country comes anywhere near that?

Sir Rhodes Boyson: I shall have to have a look. Although the House is interested in what I am saying, I do not want to delay matters by going into these 57 issues. Some of them must be very small and some people must have triumphed. I was out in Brent yesterday and knocked the doors of 85 families. I had cards in my pocket which I handed out so I know how many people I met. None of those people mentioned what the hon. Lady has raised. They all said, "It is marvellous to live in a borough with good services and low taxation." Most of the people wanted me to come in, so if any Opposition Member would like to join me on a Sunday we can call on the burghers of Brent. [HON. MEMBERS: "Beefburgers."] I am still eating beef at every opportunity.

Mr. Pickles: On the issue of the ombudsman, is my right hon. Friend aware that Labour authorities are three times more likely than Conservative authorities to be found guilty of maladministration?

Sir Rhodes Boyson: I welcome that intervention. I did not know that. It is nice to learn as one speaks.

I shall continue with the list of charter marks. They were awarded to revenue and benefits and area planning and trading. When I was out yesterday afternoon I had 12 or 13 people with me. So many wanted to come that I had to limit the number. One could almost charge for knocking on doors, and that would help further to reduce charges in Brent. All the people I met said that they were happy with the services and they were also pleased that there had been another reduction this year. There is good news in Brent and I welcome this opportunity to speak about it.

Three Brent councillors have been adopted as Conservative candidates in other areas so that they can see what is going on. That might frighten Labour Members because it is dangerous for them. The deputy chairman of my constituency party has also been adopted. The signs are good all over Brent.

I must not get carried away or you will call me to order, Madam Deputy Speaker. It is a pleasure to represent a borough that is doing so well under a Conservative administration. As I have said, it has gained seven charter marks—more than any other authority—and the reductions that it has made are almost unequalled. It gives me great pleasure to represent Brent, North and it will give me equal pleasure to represent it in the next Parliament.

7.18 pm

Mr. David Rendel (Newbury): The annual debate at about this time of the year about council tax is a familiar story that becomes more familiar every year. In the run-up to the local elections, the Conservative party and the Labour party seek to use council tax changes for short-term electioneering. That is a pity: there are better ways to deal with the council tax.

Each year, the Government promise to boost investment in Britain's essential infrastructure while at the same time promising to cut local taxation. This year, the Government have succeeded in breaking both those promises. Their policy towards local government is to force local taxes up, which has led to cuts in vital services. The increases that have been made in investment have been paid for by local authorities—on the one hand, by making well-nigh miraculous savings yet again and, on the other hand, by increasing council tax.

The rise in the council tax is, of course, an outcome that the Government fully intended to happen—they meant it to happen and they said that it would happen. The Secretary of State acknowledged that this year council tax would increase above the rate of inflation, and the Chief Secretary to the Treasury expected council tax to increase by as much 8 per cent. In fact, as we have heard already, on average, council taxes have risen by just over 6 per cent in England.

[Mr. David Rendel]

Do we hear Conservative Members congratulating local authorities on holding the increase in council tax below the Government estimate? No, we do not. Why? Because Conservative Members seem interested only in damning all local authorities—and they do so purely because the Conservative party has lost control of almost all the councils that once formed the bedrock of Tory support.

Mr. Tracey: Presumably the hon. Gentleman will admit that, where councils are controlled by the Liberal Democrats, Conservative councillors in opposition have produced alternative budgets showing lower figures—which surely proves that they have more efficient ideas than the Liberal Democrats who are in control.

Mr. Rendel: I do not know, because I did not attend all the budget meetings. However, I know that, in my authority at Newbury, that is not the case—the Conservatives failed to produce any alternatives to the budget produced by the Liberal Democrats.

I was saying that a number of councils that once formed the bedrock of Tory support are now no longer governed by the Conservatives. Those councils, very often, now form the bedrock of Liberal Democrat support. Local people like what they have seen of the Liberal Democrats and they continue to pass control of their local councils to Liberal Democrat councillors. Only last month, the Liberal Democrats gained control of yet another district council—Craven district council—while, in another by-election, Labour notably failed to gain control of Cheshire county council. In the light of that, the constant carping of Conservative Members looks petty, vindictive and self-indulgent. It is time that Conservative Members accepted their loss of power and started to campaign for their local communities.

As has already been mentioned, particularly in relation to Wales, there is a particular problem this year for Wales and Scotland, because council tax increases have not been 6 per cent. on average but, in most cases, more than 15 per cent. That has come about because of a complete failure by the Government to make proper allowance for the setting-up costs of the new unitary authorities that came into being today. A poll over the weekend showed that most people blame the Government for those increases—and they are right.

It is important to note that it is not always the cheapest services that give the best value for money. The Audit Commission has found that Liberal Democrat authorities offer high-quality services in a very efficient manner—however, they may not always have the lowest council tax rates. Much more often than not, local people believe that they provide the best value for money. In particular, Liberal Democrat authorities have very high rates of collection of council tax—no doubt, in part due to the efforts to which our councils have gone to consult the public about how their money should be spent. The top four recycling authorities are Liberal Democrat councils—a success of which the Liberal Democrats are justifiably proud.

This year's financial settlement for local government has been not only a broken promise but an outright con trick. It is now well established that when the Chancellor pledged more money for investment in education, he simply was not telling the truth. Local government has had no more money, in real terms, this year than it did last year. However, bizarrely, some Ministers continue to peddle the lie that local education authorities have more money, and they have already begun to attack local councils for not delivering it to schools, as we saw earlier this afternoon.

Mr. Pickles: If that is the hon. Gentleman's view, will he now advise Essex county council—which is run on a Lib-Lab pact—to release its war chest of reserves of more than £100 million and give it to schools? Will he instruct the council to do that, as it is holding money back from schools?

Mr. Rendel: That is an interesting indication of the difference between the Conservative party and the Liberal Democrats: the hon. Gentleman appears to think that I have the power to instruct local councils what to do with their money. I certainly do not have that power—perhaps he does.

Mr. Pickles: I know that the hon. Gentleman is a Liberal Democrat, but he should have some views. Does he think that it is sensible for a county the size of Essex to hold more than £100 million in a slush fund and to withhold it from schools? Or does he think that it would be sensible to see that the schools get that money, so that there are no redundancies and they can get school books? Is that a good idea or not? I am sure that no one is paying any attention to the hon. Gentleman, so he should feel quite free to express his view.

Mr. Rendel: At this moment, I do not pretend that I know everything about all the funds held in all local authorities. Therefore, I cannot possibly answer a question about an individual local authority in the terms put by the hon. Gentleman without looking into the greater detail.

Mr. Ken Purchase (Wolverhampton, North–East): The £100 million that the hon. Member for Brentwood and Ongar (Mr. Pickles) speaks of is almost certainly totally committed against liabilities, either on capital or on revenue, over the next 12 to 18 months. Furthermore, in any county there is a considerable budget and it is likely that the real level of reserves available—the term "slush fund" is an insult to local government—is below 2 or 3 per cent. How would the hon. Member for Brentwood and Ongar answer that?

Mr. Rendel: I shall not get involved in an argument between the hon. Members for Brentwood and Ongar (Mr. Pickles) and for Wolverhampton, North–East (Mr. Purchase), but I shall get on with my speech.

Local government is at the mercy of the short-term electioneering of Conservative central Government. The sad fact is that the Tories have shown no mercy when it comes to local services, local people and local democracy. The Prime Minister's amendment to today's motion states:

"congratulates the Government on the rigorous approach it is taking towards all public expenditure".

Most Ministers constantly boast about how much extra their Departments have spent in real terms. For example, one needs only to look at the constant boast coming from

the Department of Health about how much more is being spent on the national health service. How can the Government claim, as they do in their amendment, that there is a rigorous approach towards all public expenditure, including local government expenditure?

Sadly, the one Minister who cannot make a boast of increased spending in his Department is the Minister for Local Government, Housing and Urban Regeneration. The Government have been punishing local communities for not voting Conservative. The political capital that Conservative Members seek to make from the problems experienced by local authorities, at the expense of local government, is evidence enough.

The Prime Minister's amendment continues:

"commends the clarity of their approach towards taxation and the funding of local services".

What are the Government talking about? They seem to be losing all grip on reality. The system of funding local government services could not possibly be more complicated. Only 24 hours before the final debate on the settlement, the Department of the Environment still had not got its figures right. It could not even tell me the correct total for England's revenue support grant—it could have been £31 billion or perhaps £32 billion; it simply did not know. The formulae are so complex that even the Government's computers got it wrong—and that is the basis for the Prime Minister commending the clarity of the Government's approach.

The Prime Minister proceeds to urge local authorities to make the most efficient use of the resources available. I have no doubt that most councils are already doing that, although their priorities may be rather different from those of the Conservative party. For example, most local authorities—unlike the City of Westminster—would not consider spending £20 million to £30 million on outrageous schemes to gerrymander local elections. But as the Conservatives in central Government squander tax revenue on election bribes, perhaps we should not be surprised to see Conservatives in local government indulging in similar practices.

The answer to the problems of local government and to the chaos of the funding system is not just a change of personnel at Downing street—it has to be said that the Labour party is no better friend to local democracy than the Conservatives. Its latest policy proposals suggest that it will seek to increase the imposition on local government of the priorities and political philosophy of the Government of the day, as long, of course, as it is a Labour Government.

Criticising the funding settlement is all very well, but what is Labour's alternative? Would it provide a penny of extra money for education and local services? Would it cap local authorities more tightly even than present capping, to keep council tax down, and force yet greater cuts in services? The Labour party has not answered any of those questions. It has become an empty vessel, with no commitments and precious few policies. What we do know is that the Labour party failed to vote against the Budget's tax cuts, so it must accept its share of the blame for this year's financial settlement.

Local councils will not forget that the Labour party shamefully failed to vote against the 1p cut in income tax last November. It may claim that it will provide local government with the resources that local government needs, but its actions belie its words. So long as it continues to play the Tory game of promising to honour tax cuts, but also to build better services, it will have no credibility.

We Liberal Democrats made it clear that there were investment priorities that were more important than delivering a cut in income tax. That is still our belief, and we stand by our commitment to make the badly needed investment in education. If it is necessary to put a penny on income tax to meet that pledge, so be it.

Mr. Pickles: I am most grateful to the hon. Gentleman for his courtesy in giving way, but is not it true that his hon. Friend the Member for Bath (Mr. Foster) conceded that the Liberals' published proposals on education would cost not 1p on income tax but 2.5p?

Mr. Rendel: We have constantly said that the proposals that we shall make in the first year of any new Government, or at any time when we have power, will add 1p to income tax, and we have stuck to that.

There are major faults in the whole system of local government finance that must also be addressed, regardless of which party rules in Whitehall. The council tax itself has many problems. After all, it was introduced only as an expedient to quell the uproar against the poll tax. If it is to be retained, at least for a year or two longer, surely we can agree on some of the worst aspects that should be amended.

One problem on which we could all surely agree is that there are too few property bands. Band A is simply too high. Tens of thousands of people living in low-value accommodation are paying more than their fair share. Owners of mobile or park homes are the best example of the need for a lower starting band. Many mobile home owners survive on very low incomes and will be particularly hard hit by increases in council tax.

There is also a problem with the higher council tax bands. Band G, running from £160,000 to £320,000, is as wide as all the bands from A to F put together. The difference in implied disposable income between people living in houses valued at £160,000 and those living in houses worth £320,000 is immense. The width of band G makes it too much of a catch-all for so much of suburban and rural Britain. The result is that a large number of people on a wide variety of incomes are paying exactly the same council tax.

Furthermore, band H provides a rather arbitrary cut-off point, covering all properties valued above £320,000. It draws no distinction between a large, listed family house and a massive country mansion with dozens of rooms, valued in the millions.

The problems that I have described relate to the central principle of taxation. People should generally pay according to their means. Council tax bands, just like the old rates, imply that everybody living in a large house has a large income, and that everybody living in a flat has a small income. The reality, of course, is rather different. People have different priorities in deciding how much of their money they will plough into buying or renting their home. More important, their personal income changes quite a lot throughout their life cycle. Pensioners are the most obvious group of people who may have acquired comparatively expensive homes, but who no longer have large disposable incomes. The same applies to a great many people who have suffered redundancy or

[Mr. Rendel]

unemployment, or, indeed, re-employment, and to those who have simply chosen to change their career or to reduce their working hours: mothers or fathers staying at home to look after children are an obvious example.

The council tax is a bad tax. It is inherently unfair and is unsuitable for bearing an increased burden of taxation. As the Government continue to shift tax from central Government to local authorities, the problems and disparities will only grow. It is right that a larger proportion of local authorities' revenue should be raised locally, but it must also be raised fairly. If local authorities are to have real independence from Whitehall, and real freedom to adapt to the differing needs of local people, they must have greater control over their own revenue. That means that, over time, more money should be raised locally, with corresponding reductions in national taxation.

With that in mind, the Liberal Democrat answer is the replacement of the council tax with local income tax. A local income tax has many virtues: it is relatively easy to collect, it is fair, and it can take a much larger burden than other forms of local taxation. Records of current income tax payments already exist with the Inland Revenue, and computerisation has made local authority income tax all the more feasible.

The obvious fairness of the tax is one of its main selling points. Its fairness helps to make it easier to collect, as people are more willing to pay. It is its fairness that makes it so suitable for taking the burden of tax transferred from national taxation. It is fair because it meets the principle that taxpayers pay what they can afford to pay. Yes, some people on high incomes will pay more, but very many people on middle or lower incomes, including many pensioners, will pay less.

Labour and Conservative Members may shy away from local income tax simply because it has been so vigorously promoted by the Liberal Democrats, but it is worth remembering that local income tax was backed by the Layfield report in 1976. Indeed, the report concluded that the tax is the only suitable means for raising additional significant revenue from local communities. That view has been wholly endorsed by Sir Charles Carter in his recent report for the Joseph Rowntree Foundation. The local income tax is not some wild scheme that was never intended to be put into practice. It is the only realistic route forward for local government, if, that is, we really want the rebirth of local democracy. That is what the Liberal Democrats are aiming for. I doubt, however, whether Labour and Conservative Members share the same goal.

At least the Conservative Government have made their intentions clear. National contributions to local services will be cut in 1997-98 and in 1998-99, just as they have been over the past two years. The Government plan to shift the burden ever more heavily on to councils, so either services will be cut or local tax will rise. Frankly, it will probably be both. Under the current plans, the argument over the council tax is set to intensify over the next three years. As it does, it will become obvious that only the Liberal Democrats seek to reform local government in a way that suits local people rather than in a way that suits central Government.

The council tax is unjust. It is useful only as a political football between self-indulgent politicians. It must be scrapped, and the sooner that we set about replacing it with a local income tax, the better.

7.38 pm

Sir Peter Fry (Wellingborough): I hope that the hon. Member for Newbury (Mr. Rendel) will excuse me if I do not follow his arguments. My problem is that his fellow Liberal Democrats in my constituency are so persuasive that we do not have a single Liberal councillor either at county or at local level.

The hon. Gentleman omitted to say where he stood on the capping level of a local income tax. I believe that if one was to hand back to local authorities a big say in the way in which they got their money in, perhaps it would be better not to have any kind of cap, so that we could see which councils were spending well and which were being extravagant.

The debate should not really have been described as a debate on the council tax; it should have been described as a debate on hypocrisy. I hope to demonstrate the way in which Opposition Members say one thing and do another. It is clear that the Labour party cannot be pinned down at local level, and that will teach the voters a good lesson when they must make up their minds at the next general election. I admit that Wellingborough's council tax increased by a large amount—some 57 per cent.—this year. That increase was, of course, greeted by the Labour party as news that Conservative local government does not work, but it is not as simple as that: it never is. What is the history of the council, once Conservative and now Conservative and Independent?

For several years, the council has given a £200 rebate to everyone paying band D council tax in the area. In other words, no one in Wellingborough has paid a penny towards the services that have been provided by the borough council—and it is not a low spender: the level of services is high, and has not been cut. Even this year, there is still a £45-per-head subsidy of the band D rate of the county council's precept.

I could understand it if Wellingborough's tax had gone through the roof in comparison with that of other councils. However, only four London councils—Conservative-controlled—and the Isles of Scilly are asking for less money. It is a pity that ours is no longer the lowest council tax in the country. Why is that? The reason is pretty straightforward. First, much of the council's money was invested, and because interest rates have fallen—which we welcome—the increase in the reserves was less than it had been in previous years. Secondly, the council was faced with the possibility of local government reorganisation. The chairman of a neighbouring Labour authority said, "Wait until we merge: we cannot wait to get our hands on your money." Realistically, the leaders of Wellingborough council decided to invest in the future of the town. They spent more than £3 million on a new theatre, and over £1 million on redeveloping the town centre.

I should have thought that such policies were reasonable, given that we still had one of the lowest council taxes in the country. Moreover, we are still subsidising the county precept. In the eyes of the local Labour party, however, this is a Tory tax disaster. The party tells us that the Wellingborough Tories were squandering our hard-won reserves, and that the good times were coming to an end. It has said:

"The prudent management Wellingborough pronounces was thrown to the winds as reserves were plundered."

But what are the facts? When the issue of spending £3 million on the Castle theatre arose, did the Labour group vote against it? No: all its members were in favour. When the council had to decide whether between £1 million and £2 million should be spent on the town centre, did the Labour group vote against it? No: again, it was in favour. What it did vote against was the budget proposed for this year. Why was that? Because it thought that more money should have been given to certain voluntary organisations. Now, the Labour group has the nerve—the gall and hypocrisy—to produce a leaflet criticising the present level of the council tax. That is why I think that we should have had a debate about hypocrisy.

The Labour group brought the prospective parliamentary candidate into the argument. He says—using his own delightful phraseology—

"Labour has consistently warned that the Tories are the party of high taxation, and this is now shown to be true in Wellingborough."

I have news for the prospective parliamentary candidate. If he knew anything about Northamptonshire and the finances of local authorities there, he would be aware that neighbouring Northampton—Labour-controlled—neighbouring East Northamptonshire—Labour-controlled—neighbouring Corby—Labour-controlled—and neighbouring Kettering—Labour-controlled—are demanding roughly £100 per band more than is being levied in Wellingborough. Be it through the mouths of its councillors or through the mouth of its prospective parliamentary candidate, the local Labour party is talking pure hypocrisy.

The Labour party often tells us that local government is used cynically as a form of electioneering. Wellingborough borough council can be accused of only one thing: giving their own money back to the people of Wellingborough. The only inference that can be drawn from the Labour party's leaflet is that it would not have given that money back. It would have sat on it, just as it is sitting on money in Essex. Members of the Labour party think that they know best; they do not believe in giving back money that people have paid in, which has increased their investments. I accuse the local Labour party of total hypocrisy, and what I have said underlines what we heard this afternoon from my right hon. Friend the Secretary of State.

It does not even end there, however. Unfortunately, we also have a Labour-controlled county council. For the past two years, my colleagues and I have worked with the Labour leadership to try to secure a better deal for Northamptonshire in terms of the revenue support grant. This year, after a long battle, we obtained some £12 million more for the county. The biggest increase was the increase in funds to go directly to the school governors, to enable school budgets to cope with the teachers' pay increase.

What did the county council do? Since it has been in power, it has spent virtually every minute deploring the fact that it has not enough money to spend on education, the fact that teachers are liable to be made redundant and the fact that class sizes will have to increase; but what did it do? It drew a smokescreen over the issue, transferring some money from capital expenditure and trying to pretend that that was the revenue expenditure that it was putting into schools. It has been calculated that we received an increase of some 6 per cent. in the funds that our schools are entitled to have, and that the county council passed on only some 4.8 per cent., leaving a considerable deficit.

Why would a county council that was so concerned about teachers, class sizes and the possible anxieties of parents act in that way? Could it possibly be that the council knows that if a few teachers lose their jobs as a result of its policies, and if class sizes increase and parents are upset for the same reason, the people concerned will be angry with the Government rather than the council? I regard that as one of the most hypocritical and cynical attitudes that I have ever seen in local government.

Mr. William Powell (Corby): I am grateful to my hon. Friend and neighbour for giving way.

Surely the cynicism goes a step further. Each year, we have been told that there will be swingeing reductions in the number of schoolteachers; but we now know from a parliamentary answer that the number of teachers in Northamptonshire schools has risen each year since 1991. Labour says one thing in order to frighten the voters, while concealing the truth.

Sir Peter Fry: I am grateful to my hon. Friend. I can also enlighten him. The number of teachers who have lost their jobs—the total last year was seven—has been much less than the number who have been given jobs in my constituency. That is a long way short of the hundreds of redundancies that the Labour party was claiming would take place.

I have tried to make the point that, whether it be at local district council or at county level, we have been fed the wrong information. We have seen twisting of the truth, cynicism and hypocrisy, which we had come to know in the old Labour party. Of course, however, it is not the old Labour party any more—it is the new Labour party. The only problem is that I see the same old tired faces in Wellingborough, Corby, Northampton and Kettering. The Labour party has not really changed and the things that I have specified show that it has no intention of changing.

Given the things that I have been proving this evening and that my right hon. Friend the Secretary of State told the hon. Member for Holborn and St. Pancras (Mr. Dobson), who leads for the Opposition, I am astonished that the latter had the cheek to table his motion and to choose this issue for debate. His party is keen to ensure that his proposals are implemented. That is why the Opposition Benches have been so crowded today.

7.50 pm

Mr. Harry Barnes (North–East Derbyshire): There is methodology in the Government's madness. In determining standard spending assessments, they use a system that is manipulated to achieve certain results. On 31 January, when we debated the local government finance report, I tried to spell out the methodology's effect on North East Derbyshire district council and how the system hit and hammered that region. Tonight, I want to talk about how the methodology hits Derbyshire county council in as serious a way.

When Lady Thatcher was Prime Minister, I asked her whether she would compliment Derbyshire county council because it had the smallest class sizes of any shire county.

[Mr. Harry Barnes]

Her response was that I must be pleased with the Government's record, presumably because the Government's policies had had some impact on what Derbyshire county council had been able to do.

The position now is that Derbyshire county council has the worst record in terms of primary school classes with more than 36 pupils: 7.6 per cent. of its pupils are in such classes. As I mentioned in an intervention, the average primary class size is 27.9. Derbyshire is joint worst with Lancashire, which is hit equally by the arrangements on standard spending assessment and by the move that has taken place. If the Conservatives wished to gain some kudos from Derbyshire having small class sizes in 1988-89, they must take considerable blame for class sizes in Derbyshire at present and the crisis in education.

The argument is often produced about Labour authorities that, somehow, they hold too much money back centrally and do not provide enough to schools out of SSAs. That does not operate in relation to Derbyshire. In the list of English shire counties, only four have lower central expenditure per pupil than Derbyshire and only four provide a lower percentage amount. Derbyshire, therefore, has had to be careful about the moneys that it spends because of the pressures on it.

If we contrast the budget level in 1989-90 with the 1996-97 capping limits for the SSA, Derbyshire's increase in that period is the smallest of any shire county. The budget of some shire counties—including West Sussex, Kent and East Sussex—has increased by more than twice that of Derbyshire. All told, the budget of 21 counties increased by 50 per cent. or more in that period. If we compare grant-related expenditure with the SSA over that period, Derbyshire comes out fifth worst.

If Derbyshire county council had received the average provision for shire counties, there would have been no cuts in its programmes, instead of cuts that have totalled £196 million. Its band D council tax is £529, but the average is £463. The argument in relation to council tax is used against Labour councils by the Government and it needs turning round. Derbyshire's band D council tax is high and above average because of the problems that the methodology that determines the amounts of money available imposes on the council. Pressure on the council has led it into those problems.

Likewise, Derbyshire county council spends £575 per head on services, but the average in shire counties is £636—those are Audit Commission figures. That is not to the detriment of Derbyshire county council. It is due to the circumstances in which the council finds itself.

Let us compare Derbyshire with Hertfordshire county council, which had similar grant-related expenditure just before the move to SSAs. At present, Hertfordshire has £80 million more available. Over the period, its SSA has increased by more than 48 per cent., whereas Derbyshire's has increased by only 28 per cent. In Hertfordshire, £163 more is spent on each primary school pupil than in Derbyshire; for secondary school students, £199 more is spent.

If Derbyshire had the same SSA as Hertfordshire, it would have available another £11.2 million for primary school expenditure and another £10.8 million for secondary school expenditure. That is an argument not against the position in Hertfordshire, but against the imbalance in the SSA structure. I mention other comparable authorities—West Sussex, Kent and East Sussex and Hertfordshire—to ask why they receive resources that are not available for an authority such as Derbyshire.

The major answer is the area cost adjustment. The 11 counties that, over the period of the SSA, have been the top gainers in relation to education have all received area cost adjustment moneys, which are not available for counties at the lower end. There is always a method by which the Government manipulate the moneys that are available for councils. In district councils, there are problems because of the enhanced population and movements in population. In North East Derbyshire district council, there is a smaller daytime than nighttime population. That is used against the council when calculating the area cost adjustment.

Similarly, the area cost adjustment is continually used in calculations. Education has a number of blocks under which matters are determined, initially based on student numbers: primary, secondary, post-16, under-fives and other blocks. The area cost adjustment factor applies to each block and has been a growing factor in standard spending assessments. Between 1988-89 and 1995-96, the amount allocated to the area cost adjustment has increased from £418 million to £1,1658 million, but that money has been made available to some authorities but not to others.

Furthermore, in 1990-91, the area cost adjustment was extended to the entire south-east region. False comparisons are made between Labour-controlled authorities, Conservative-controlled authorities and other authorities as a result of Labour's triumphs in the past few elections. The true comparison is between Conservative parliamentary seats and Labour parliamentary seats, but the formula is used to manipulate the figures against Labour areas.

The area cost adjustment was extended—at one time it applied only to education—and had to cover all services. Once the Government discovered a method that they could use to manipulate figures, they considerably advanced and extended it. Between 1988-89 and 1995-96, the total amount of the standard spending assessment being determined by the area cost adjustment has increased from 1.7 per cent. to 4.3 per cent. If an authority is unable to claim the area cost adjustment, that will have very serious effects on its finances. It is vital, therefore, that a proper assessment is made. It must take into account labour costs in different authorities such as Derbyshire when equations are being calculated. The methodological fix for shire counties is similar to the methodological fix for enhanced population in relation to district councils.

Provision is made for additional educational needs. For children of lone parents, for children born outside the United Kingdom or when the head of the family was outside the United Kingdom—we are now discussing ethnic minorities—old census figures are used rather than up-to-date figures.

The sparsity and density factors tell not only against district councils but against counties. It is reasonable to assume that Derbyshire should do relatively well on the sparsity indicator. The hon. Member for West Derbyshire (Mr. McLoughlin) was in the Chamber earlier. He has a massive constituency, much of which is thinly populated. The Peak district is also in the county. However, that indicator measures only super sparsity, and counties such

as Oxfordshire, Buckinghamshire and Bedfordshire are deemed to be sparser in provision per population than Derbyshire. Derbyshire has the great peculiarity of being able to score below average in terms of sparsity, and density, of population. There is great nonsense, therefore, about the provision in that area. The sparsity factor, for instance, counts for 1.3 per cent. of education expenditure in the standard spending assessments.

The problem is not only service provision—there are also problems in capital expenditure and capital money that is available to shire counties. Derbyshire's capital problems are, in many ways, even worse than its budget difficulties. Since 1991-92, there has been a steady annual decline in the money authorised in basic credit approvals—from £30.1 million in 1991-92 to £5.8 million in 1996-97.

A measure of Derbyshire's need is that it must maintain 1,000 properties, including 506 schools, 56 libraries, 31 fire stations and 200 social services establishments. The county has no money available for new projects, but 450 temporary buildings—many of which are classrooms older than 40 years—need urgent repair and replacement. Some buildings have already been taken out of use, and many more will have to close in the next two years. Derbyshire needs £8 million to tackle the most urgent cases, and the total cost of replacing all 450 temporary buildings will be about £50 million. Another £8 million is needed for residential homes for children and older people and for essential road repairs.

Derbyshire's finances are tremendously affected by those arrangements, which have created pressures on the council tax that must be charged and in service cuts. Any reasonable person, studying all the indicators, would not think of Derbyshire as a profligate authority, as the Government keep pretending when making arguments against it.

Derbyshire has a particular problem with fire services. The formula for fire services has always contained a peculiarity whereby coast lines receive exaggerated resources. Derbyshire, being tucked in the middle of the country, has no coast line. I do not deny that some money needs to be spent in coastal areas, but I question the weight that is given to such factors in determining allocations. The Government always have an argument that is plausible on paper, but they then push it to the Nth degree so that the situation becomes completely reversed.

The Fire Brigades Union is balloting its members on strike action. That strike will be directed towards the county council. That county council must makes cuts to staff, appliances and other provisions. A crisis is being created that is not of the council's own making because it is a matter of balancing the books. Arguments may be advanced about this year's settlement—for example, what its percentage was and whether it made acceptable provision for the fire brigade—but we must always base our comparison on the whole period during which the standard spending assessment has applied. There has been an annual deterioration, and once the council has used up all its reserves, it must try to provide whatever it can under the capping rules. Authorities should not be placed in the situation in which Derbyshire county council and North East Derbyshire district council have found themselves.

A ready way out of the problem of deciding how much money has to be spent through the rate support grant and what the total is to be for the counties would be to have a fair and reasonable methodology to determine what resources are available in various areas. I once spoke to a group of teachers and others and explained Derbyshire's SSA as well as I could. One person said that she was astonished that there was a formula. She thought that a figure was plucked from the air and that it was decided arbitrarily to give Derbyshire only a small sum of money. I had to explain that that was not the case because we still had the remnants of a democratic system. If the Government acted as that person thought, they would be taken to court on judicial review. I explained that they had to have a system and a formula but that they fiddled the formula. They pushed their proposals through Parliament, thanks to their majority, and the system had to be examined all the time and unpicked.

At last, the area cost adjustment is being examined by an independent body this year. Things could be different in future—they will be different because that lot over there are on their way out and we shall have to put the mess right.

I have been making speeches on standard spending assessments and local authority grants for eight or nine years. I have led deputations, written letters and done all sorts of things to try to get more money for North East Derbyshire and for Derbyshire as a whole, but not one ha'penny has been gained—not for any lack of effort on my part or on the part of many others but simply because of the Government's refusal to accept a reasonable and decent formula. They come up with the same sophistry time and time again to defend the indefensible—the system that they operate.

8.11 pm

Mr. Eric Pickles (Brentwood and Ongar): I am pleased to follow the hon. Member for North–East Derbyshire (Mr. Barnes), but I cannot help but feel that Derbyshire would be in a much better position had it not spent the 1980s attacking the Government and demanding to spend extra money, especially the sums that it spent subsidising school meals with the result that primary school children now face the obscenity of having only three quarters of an apple at lunch time.

My right hon. Friend the Member for Brent, North (Sir R. Boyson) was right to castigate hon. Members for the fact that the Chamber has been so empty. This is an important debate, and we have witnessed history being made this evening. We have heard expounded a doctrine that explains Labour's stance on council tax increases.

There were times when the hon. Member for Holborn and St. Pancras (Mr. Dobson) sounded like a social worker making excuses for a particularly recalcitrant and violent client: "He doesn't mean to do it, your Honour. He's basically a good man but whenever he sees a possibility to put up taxes and increase services, he just can't help himself." I suppose that we should call the new doctrine "Dobson's doctrine". It is right to call it Dobson's doctrine of irresistible impulse because the Labour party cannot avoid putting up taxes and increasing services.

I have known a few Labour councillors in my time—indeed, I can see an ex-colleague across the Chamber. They are perfectly charming as individuals once one gets

[Mr. Eric Pickles]

over the look of their sharp suits and the whiff of cheap champagne, but collectively they engage in a form of mass hysteria which means that they have to put up taxes and increase services.

A Labour council is basically a high-spend, high-tax council. It is therefore not surprising that the gap between Conservative and Labour councils has increased—the difference on a band D council tax is now £225.

I recently spoke to an ordinary working-class couple from Liverpool. The average council tax payer there faces a bill of £1,006. The couple rightly asked how they were supposed to pay that as it is equivalent to a month's wage being taken out of good people's pockets. Time and again, Labour has increased the council tax—council tax payers pay more but get less. When the Government are putting more money back into people's pockets, the Labour party is taking it out.

At the time of the standard spending assessment announcement last year, the leader of the new joint authority, Sir Jeremy Beecham, said that the settlement does not match what councils are spending as if that were some criterion. It is a potty idea. Nowhere else in the world, and nowhere else in the private sector or the public sector in Britain, would an organisation say that, having overspent last year, it must have compensation this year.

There is an alternative way to secure extra resources. The problem with the Labour party is that it can find extra resources only by taxing people. Last year, the Audit Commission examined how councils managed their work forces. After all, 60 per cent. of a council's budget is spent on the work force. The commission's study of non-manual staff found that few authorities had a consistent and coherent approach to three crucial questions: how many staff do they need, how much should they be paid, and how can they get the best from their staff?

The argument that a redistribution of the share of grant means extra taxes and fewer services is the philosophy of despair. We heard earlier from the hon. Member for Holborn and St. Pancras. I have sight of his press release, which was issued today. It states:

"The Government are deliberately driving up Council Tax and charges for council services at the same time that they are forcing councils to cut services for local people . . . And they intend this process to continue."

That does not seem to square with the attitude of a political party that is also committed to increasing the share that is raised locally.

My right hon. Friend the Secretary of State spoke today about Labour's document entitled, "Renewing Democracies, Rebuilding Communities", which states:

"We believe that it would be better for local people and make for a healthier democracy if councils were responsible for raising locally a much higher proportion of the money they invest and spend".

The hon. Member for North–West Durham (Ms Armstrong) says that that relates to a return to the uniform business rate. The hon. Member for Bradford, South (Mr. Sutcliffe) seemed to be rubbing his hands together with glee at the prospect of getting hold of that money. We recall the times when such people had the opportunity to deal with the business rate—businesses went under because of the way that the rate was skewed against them.

If Labour Members are looking for extra resources, let Labour authorities collect the council tax. The hon. Member for Holborn and St. Pancras conceded that more money should be collected but, for the record, let me list some collection figures. Lambeth collects 55 per cent. of the total due, Hackney collects 69 per cent., Newham 72 per cent., Lewisham 79 per cent., Southwark 79 per cent., Liverpool 81 per cent., Haringey 82 per cent., Islington 82 per cent., Camden 82 per cent., and Manchester 83 per cent. That represents £90 million of extra resources to those councils. No doubt Labour Members would say that Lambeth takes care of most of that £90 million, but even if one excludes Lambeth from the list, there are still £70 million worth of extra resources available.

Mr. Sutcliffe: Are not those figures comparable with the money collected under the old rating system? The increase in the amount not collected came with the poll tax—that much vaunted tax that everybody hated. The figures that the hon. Gentleman is quoting are comparable to those under the old rating system.

Mr. Pickles: If we were to include figures for the community charge, the figures that I have quoted would be much worse. We would be talking about a much lower percentage of collection. That is the problem that the hon. Gentleman has to face. The hon. Member for Holborn and St. Pancras said that the figures were because of deprived areas that cannot collect as much. In volume 2 of the Audit Commission's report, page 47 says that areas such as Coventry, Rotherham, Doncaster, Wakefield, Leeds, and—I must say to the hon. Member for Bradford, South—even Bradford is managing to do better than the councils that I have mentioned. So it is possible to collect in deprived areas.

The Audit Commission says:

"Only about a quarter of metropolitan councils and London boroughs met this target.

This is a serious problem affecting councils' ability to provide services. Improving performance by even 1 per cent. can bring in significant extra income. For example, some metropolitan councils are due £35 million in council tax. Every 1 per cent. extra they collect in council tax would enable them to provide an extra 8,000 people with five hours of home help work per week or to reduce the level of council tax."

The money exists in local councils' budgets, and we know that the settlement was in line with inflation, yet the Labour party would make the position much worse. It would abolish capping, introduce the minimum wage and reduce competitive tendering. Councils can easily manage within budgets under the capping level, as has been demonstrated by the few that have been capped this year.

The important thing is what councils do with the services. As I said earlier, in my area of Essex, to the eternal shame of that county council, the Labour and Liberal councillors decided to parade the old and vulnerable to speak for the council. Yet what do we find? We find that the council underspent on social services last year by £2 million. None of that underspend was necessary, and no one should have come to my surgeries crying because their home helps had been taken away. *[Interruption.]* The hon. Member for Coventry, North–East (Mr. Ainsworth) wants to call time. I must tell him that if his friends on Essex council had cared for the elderly, none of my speech would have been necessary. The council also intends to take another £2 million out of resources for the elderly.

I have discovered that the highest increase in the council's spending in the south-east comes from Brentwood. There has been a 17 per cent. increase there. That is the council that made a mess of the local government review, cabling, council finances and has allowed precious manufacturing jobs to slip through its fingers. What did that Liberal-controlled council debate instead? Last week it debated the possibility of joining Charter 88. I must say to the members of Brentwood council that if people in Brentwood wanted to drink champagne with socialists, they would go and live in Islington. Such action is singularly inappropriate for a local council.

The Labour party is completely out of control. It brings out the old arguments over Westminster, yet we have conclusively shown that if one bases figures on the amount of money that goes to Tower Hamlets, a similar list can be produced.

Ms Armstrong *indicated dissent.*

Mr. Pickles: The hon. Lady's list is completely bogus, it is a waste of everyone's time and is completely meaningless. *[Interruption.]* We know from that that the Labour party's reaction to abolish capping and introduce the minimum wage and the social chapter would add to the problems.

I should like to quote from *Hansard* because the following two lines seem to sum up the Labour party's inability to give us a figure. When challenged with how much extra the Labour party would provide, the hon. Member for Holborn and St. Pancras said:

"I do not endorse anyone's numbers but my own, and the hon. Gentleman is not getting one from me."—[*Official Report*, 31 January 1996; Vol. 270, c. 1032.]

That seems to undermine Labour's position completely. If Labour Members believe that the settlement is inadequate, they should say so—*[Interruption.]*

Madam Deputy Speaker: Order. I am very tired of seated interventions. In fact, it seems to be almost a running commentary at times.

Mr. Pickles: I am most grateful for your protection, Madam Deputy Speaker. The noise from the Front Benches is beginning to sound like air conditioning. The Labour party's pure dilemma is that if it believes that the settlement is underfunded, it should say so and show some courage in its convictions. If it does not, it should display a little honesty to local government.

8.26 pm

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): It is a basic tenet of democratic government that it should be fully accountable to the electorate for its actions. I suggest that accountability can be reinforced through taxation. It is important for the electorate to understand the financial effects of the Government's decisions. At a local government level, that clearly means that communities should be able to vote for increased or decreased public spending and to feel the effects of that decision in local tax levels. It is interesting to note that one of the primary aims of the United Kingdom community charge was to increase local accountability, but concerns about equity, administrative problems and too high a level of grant meant that such an increase was not achieved in practice.

Local discretion on taxation is severely limited in the UK. Other countries in Europe have a broader tax base and more local discretion, thus increasing accountability. That very accountability is further weakened by non-elected bodies with responsibility for service provision. There are many examples of such bodies. We have seen the creation of independent hospital trusts, housing associations, school governing bodies, and so on. There is no doubt that local authorities, as bodies representing local government and local democracy, are under threat. To a very large extent the degree of financial independence that local authorities enjoyed has been removed. I referred to certain quangos earlier.

When a democratically elected central Government have decided on a macro-economic policy that is based on an attack on inflation through control of the money supply in one way, we find that they eye local authorities with a great deal of concern. The Government believe that local authorities are inherently profligate, which is absolute nonsense.

In practice, that perceived threat is definitely exaggerated. It assumes that all local authorities would pursue an united policy of high expenditure. It ignores the constraints imposed by the fact that the larger share of local authority expenditure is determined by central Government grant policies. Above all, it assumes that a local electorate would tolerate high local taxation policies without wreaking electoral vengeance on their perpetrators. Nevertheless, there is an element of truth in the belief that local authorities pose a degree of threat to a tightly controlled central economic policy.

A vital prerequisite is that local authorities should enjoy some financial autonomy. In addition to the element of central funding by formula, there should be an element of local revenue-raising on an equitable basis which local authorities would determine and control. Thus local authorities, answerable to their electorates, would determine local priorities and the extent to which they were prepared to resource them.

Currently, local authorities are being choked by central Government. The Government emphasise the need for good budgeting and cuts in expenditure. This is the fifth year of basic cuts. There is simply nothing left to cut and that is why we now face the appalling prospect of dismissing teachers, cutting community care services and cutting items such as meals for the needy in the community and in schools.

Mr. Dafydd Wigley (Caernarfon): Does my hon. Friend agree that while local government has been under threat from central Government in terms of the lack of resources to which he refers, new responsibilities have frequently been imposed on local authorities, particularly care in the community services? Although such services are supposed to be fully funded, they often are not, which imposes an even greater burden on the local exchequer.

Mr. Llwyd: That point is well made. There is an increasing burden, although I do not like to use the word "burden" in connection with community care because it is valuable. However, it costs a lot of money and there is a shortfall in the funding for it.

[Mr. Llwyd]

Local government is being dismantled by central Government because they control the purse strings. Let us consider the new authority of Gwynedd, which comprises Caernarfonshire and Merionethshire. The authority has had to cut services quite substantially this year because of the terms of the Welsh Office local government revenue settlement for 1996-97. The settlement implies an expenditure cut of 1.3 per cent. compared with the council's budget for 1995-96. When the transfer of funds for year four of care in the community is added, the cut becomes 0.2 per cent. As a result of the lack of Exchequer funding next year, coupled with shifts of grant due to the deficiencies in the distribution formula, many new councils, including Gwynedd, will face massive council tax increases in 1996-97.

To alleviate the problem, the Welsh Office has made available a council tax reduction grant of £45 million which is payable to certain councils only. It ensures, at least in theory, that no council will need to increase its council tax for the coming year by more than 25 per cent. Gwynedd's share is £1.991 million, which is equivalent to a band D council tax subsidy of £47. As part of the settlement, the Welsh Office announced expenditure capping criteria for 1996-97, which will allow councils to increase spending over 1995-96 levels by 3 per cent. The cap for Gwynedd is £112.003 million.

I know that it is not always useful to bandy figures in the Chamber, but I want to make one or two points. Gwynedd council is having to struggle as best it can after five years of consistently deep cuts. The conclusion that can be drawn from the figures I have given—the Welsh Office figures—is that the Welsh Office may seek to narrow the 4.4 per cent. gap between budgets and spending norms in 1997-98. That will mean substantial cuts in service levels.

Where will the new cuts come, after five years of cuts? The finance committee of the new council has looked frantically in every direction. The additional temporary reorganisation-related costs of £755,000 will be financed from the funds inherited from surpluses. Some £500,000 of major items of repair and maintenance of roads and buildings will be transferred from the revenue budget to the capital budget. I am told that there will be immediate cuts of 0.75 per cent. in the schools and social services budgets and 1 per cent. in other budgets, saving £709,000. The balance of the gap will be met by general balances, so all in all, it is a short-term strategy just to keep heads above water. Heaven alone knows what will happen next year. Apart from the surpluses on collection funds of £1.7 million, there will undoubtedly be cuts in valuable services. They are totally unjustified and will bite deeply in Gwynedd, which serves a large rural expanse.

The leader of the new authority recently explained the 25 per cent. council tax rise. In a letter, he says:

"The simple reason for the increase is that the grant from the Welsh Office is insufficient to meet the effects of inflation and the added burden wholly created by central Government.

William Hague, the Welsh Secretary of State, stated in Parliament that the Council Tax in Wales this year would have to increase on average by about 17 per cent.

Why? Well, in the last budget the Tories cut 1p off income tax."

That is the immorality of the situation. That cut has to be paid for in some way and the burden will fall on householders. That is an unfair means of taxation, as the hon. Member for Newbury (Mr. Rendel) made clear. It is a regressive form of taxation in any event.

I cannot understand why, under the formula, some councils are badly dealt with while others seem to come out well. If Gwynedd council was treated the same as Westminster council, it would be possible to hand back money to the taxpayer and still provide services.

We have heard a lot today about fire authorities. They are very important and other hon. Members have rightly referred to the bravery of the firemen and women on whom we rely so heavily. They devote themselves entirely to their public duties, always with the greatest valour. However, they do not seem to qualify for money to run the service.

The North Wales fire authority was thrust on the people of Wales, against the wishes of the people of Gwynedd and Clwyd. There we are, we have got the new authority. The Government said that part of the reason for the reorganisation was increased efficiency. However, the new authority is not just disappointed but is scared rigid by the level of funding. I remind hon. Members that north Wales has a huge coastline which is one of the important criteria for funding. I also remind hon. Members that under the present basic capital allowance, £296,000 will be allowed under that heading compared with the previous combined total for Gwynedd fire authority and Clwyd fire authority in the previous year of £1.2 million. How can anyone run such a crucial service on such a budget? The decision is utterly indefensible and disgraceful.

The fire authority recognises that point and wrote many weeks ago to the Home Office asking for an urgent meeting with the Home Secretary. It has not yet received a reply. As the hon. Member for Alyn and Deeside (Mr. Jones) mentioned, he and I have asked for some progress on the matter and I am sure that other north Wales Members have done the same. I rang the Home Office last Wednesday and last Thursday. I was promised faithfully that I would be told today over the telephone when we could meet, but I am still waiting for that call. It is simply not good enough. Fire authorities often have to deal with life-or-death situations. It is simply not good enough to give Members of Parliament and fire authorities the runaround. I ask the Under-Secretary of State for Wales, because he too has responsibility in the matter, to give me an answer. If he is not careful, there will be blood on his hands. I ask him respectfully to make it known to the Home Office that we in north Wales want an urgent meeting and we want it now before there is a disaster. I ask him to respond to that point.

Central Government's constraints have forced upon the people of Caernarfonshire and Meirionnydd, or the new Gwynedd, a couple of choices—to uphold the standards of service provided by the authority or to cut them yet further to an unacceptable level. Logically, the first choice is the only one. Given that, and central Government's chronic and serious underfunding, there will have to be a substantial council tax rise. But central Government should realise that the council tax payer is a far more sophisticated person that they imagine. He or she can see through this fiasco by central Government and, in a few months' time, they will have an opportunity to show this

Administration what they feel. There is no doubt that the Conservative Administration will pay for decimating local government, and the price will be high.

8.40 pm

Mr. Richard Tracey (Surbiton): One thing is certain—someone with a Labour council will have a council tax bill that is 50 per cent. higher than someone with a Conservative council. There is no doubt about that. If one looks down the chart of council tax bills for this year, one sees a long list of Labour authorities heading the list, starting with the iniquitous £1,006 for a band D property—presumably a semi-detached house—in Liverpool. At the other end, not surprisingly, one sees the low levels of council tax charged by Conservative authorities.

In light of that fact, I thought that it was a brazen gesture by Labour to have an Opposition motion today on the council tax. My right hon. Friend the Secretary of State pointed out that it is 1 April and said that the motion might be an April fool's joke, but it is getting late in the day for that. The Opposition motion uses the old line of blaming the Government for the high council tax levels in Labour-controlled areas. Labour is not alone in that. While council tax bills are 50 per cent. higher in Labour councils, the figure for the three or four councils controlled by the Liberal Democrats in London is 42 per cent.

One would have thought that when Labour tabled the motion, it would first have given us some idea of what extra money it would provide. If Labour claims that councils are hard pressed because of the Government, it should give a figure. But as with everything else, the hon. Member for Dunfermline, East (Mr. Brown)—the shadow Chancellor—has told Labour Members not to say a word on the matter because the Government might start costing the figures and detailing the total tax to be presented to the nation by Labour at the general election.

Labour has hinted in its rather vacuous presentation of policy that it would probably lift capping. There is a warning for the people of this nation—the council tax in Labour councils would go through the roof if the cap came off. Labour has also hinted on a number of occasions that it would like the business rate to be back in, as they put it, "democratic local control".

Mr. Sutcliffe: Hear, hear.

Mr. Tracey: The hon. Member for Bradford, South (Mr. Sutcliffe) is obviously not speaking on behalf of the Opposition Front Bench. That is obviously the common view, however, in the Labour party. That is where Labour will find the extra money—from lifting the cap, so that local domestic council taxpayers will pay, and from local businesses, which will be well and truly soaked.

Conservative councils have come out extremely well in this year's chart—there is no question about that. As I have said, Labour-controlled Liverpool—where a band D council taxpayer has to find £1,006—is at one end of the scale. At the other end, the bill in Westminster—endlessly maligned this afternoon by Labour Front Benchers—is £295 for a band D property. In Wandsworth, the figure is £434, and in Brent it is £456. My right hon. Friend the Member for Brent, North (Sir R. Boyson), with all his experience in local government, paid a well-deserved tribute to the Conservative councillors in Brent.

Those figures are on the record for Conservative-controlled councils, but we must look also at the shadow budgets produced by Conservative oppositions around the country. At this point I shall move away from talking about London in broad terms, as I wish to refer to my own local authority—the royal borough of Kingston upon Thames, controlled currently by a Liberal Democrat authority. There, the Conservatives produced a shadow budget that convincingly undercut the Liberal Democrats' budget by £26 for a band D property.

It is interesting that, in the oldest royal borough in the country, the council was planning to do away with its heritage officer—the person who pulls together all the historical records and puts across the truly historic message of the ancient royal borough. That job was going to be axed because of the Liberal Democrats' budget. The Liberal Democrats have created seven "neighbourhood councils" in the borough to which money is devolved. Amazingly, the money to pay for the heritage officer was found by the three Conservative-controlled neighbourhoods and—interestingly enough—by the Labour-controlled neighbourhood. The Liberal Democrats were determined to wipe out the heritage officer of our oldest royal borough, but fortunately she has been saved because of the good management of other neighbourhoods.

In many areas, the shadow budget proves that the Conservatives could manage things better. It is a pity that the hon. Member for Holborn and St. Pancras (Mr. Dobson) is not here. He might be interested to know that Camden council—his local authority—is planning a 13 per cent. increase in council tax from £688 to £779 for band D. The Conservatives, however, produced a shadow budget that would keep the figure down to £635. That assumes—among other things—that the collection rates for the council tax were improved from 93 per cent. to 98 per cent. We have heard a number of times in the debate that the efficiency of Conservative councils produces those excellent levels of council tax.

We have also heard about total external support. My hon. Friend the Member for Brentwood and Ongar (Mr. Pickles) said that if all councils in London received the same kind of external grant as Tower Hamlets, some amazing figures would be produced. Wandsworth, for example, could have handed back £1,250 to council taxpayers, and even Lambeth would have made savings, with the bill being £785 better than it turned out to be. I accept that there is need in Tower Hamlets, but there is also need in North Westminster, North Kensington and Hackney, and all those areas would have done far better if they had had the level of support that the Government have given to Tower Hamlets. So let us not hear any more of this talk about some sort of preferential treatment by the Government delivering the extremely efficient levels of council tax for Westminster, Kensington and Chelsea and Wandsworth.

The other point that has been made—I make no apology for repeating it once more—is about the level of efficiency that the Audit Commission has found in Conservative councils compared with that in Labour councils. One would think that Islington, with the right

[Mr. Tracey]

hon. Member for Sedgefield (Mr. Blair), the Leader of the Opposition, as one of its residents, would do better. In the Audit Commission's view, Islington is the most inefficient, useless and incompetent council certainly in London and probably in the whole country. It spends the third highest per head of population, yet its results are appalling. It has the worst exam results and it is the slowest in London at dealing with planning applications. Of course, there are other incompetent Labour councils in London. Labour Hackney is poor; it collects less than 70 per cent. of its council tax. Newham is little better.

Islington has the Leader of the Opposition as a resident—the man who claims that his new Labour party will be so efficient at running the country. Yet there on his doorstep is a classic example of what Labour is like when it is administering anything.

8.51 pm

Mr. Gerry Sutcliffe (Bradford, South): The yah-boo style of the Opposition tonight—or the Government, soon to be the Opposition—has not impressed me one little bit. I do not think that it would have impressed the thousands of Labour, Tory and Liberal councillors throughout the country. If they had heard the debate tonight they would have been appalled at the lack of respect for the way in which they had operated their councils during the past 10 or 12 years.

I start off by defending my hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson). Earlier, the hon. Member for Brentwood and Ongar (Mr. Pickles) only partially quoted *Hansard*. My hon. Friend said:

"I do not endorse anyone's numbers but my own, and the hon. Gentleman is not getting one from me."

He went on to say, but the hon. Member for Brentwood and Ongar did not quote this:

"I explained that earlier. In case the Conservative simpletons did not notice, that was what one of my earlier responses meant."—[*Official Report*, 31 January 1996; Vol. 270, c. 1032.]

I have to say that the word "simpletons" comes to mind when I consider the quality of the debate that we are having this evening.

The hon. Member for Brentwood and Ongar was for a brief period leader of Bradford council. It was a very brief period from 1988 to 1990. I congratulate him on the efforts that he made on our behalf. The council was then controlled by the casting vote of the Lord Mayor. It is now controlled by a Labour majority of more than 16. That is due in many respects to the hon. Gentleman's efforts.

I should have thought that the debate tonight would centre on the good work of local authorities across the spectrum of politics. This country relies on the work of local councillors. They know that the make-up of the council tax does not reflect their needs. They would rather not be frustrated by the Government. They would prefer to develop a tax system in local government that met local needs.

We have a Tory Government who are paranoid about local authorities to the extent that in every other policy they are deregulating and loosening the ropes, but in local government they are not doing so. More than 150 pieces of legislation have been passed to tighten the restrictions on local authorities. In many local authorities up to 85 per cent. of the budget is predetermined by central Government. That is not the way forward. Local accountability and democracy is what we want to see.

Despite what the Government have said, Labour local government works. We have the facts to prove it. The facts that we are interested in are the number of people who vote for us. That is why there are more than 200 Labour authorities and only 13, soon to be fewer, Tory authorities. Whatever methods the Government try to use to detract from Labour local government, it makes no difference. The other week we had the Audit Commission performance indicators. A Minister went along to the Audit Commission to argue that the figures were not correct and argue a different case. The Audit Commission said no.

Conservative Members refer to the top 10 and the bottom 10 authorities in terms of performance. They are likely to be Labour authorities when the majority of authorities are Labour. The sad fact is that the Government do not want to see local government, of whatever political shade, develop. We have seen 16 years of this. The Government have taken away the powers of local government and put them in the hands of quangos. A fifth of public spending is now in the hands of non-accountable, undemocratic bodies. There are now more than 170,000 quangocrats, as compared with 30,000 councillors.

Authorities had have to increase the council tax this year as a result of the unfairness of the system, knowing that they will have to cut services. In areas such as mine, cuts in services hit hardest those who can least afford to be hit. We must have a Government who understand.

I have been along with colleagues from local authorities in my area to see Ministers. We get sympathy. Ministers say that they understand the problems and how, in Bradford's case, the formula does not accommodate the uniqueness of our city, with its rising population and school rolls. We get tea and sympathy, but no extra resources or any promises that Ministers will examine different methods of calculation.

There must be a different approach under which people are consulted and involved rather than frustrated. Bradford people will face a tax increase of 9.2 per cent. Again, they are the ones who can least afford it. A third of the population of 490,000 is on some form of income supplement. As I said earlier, it is a growing population.

To digress a little on to the education capital programme, an all-party delegation from Bradford went to see the Minister to say that Bradford needed £40 million to £60 million for education capital spending. The delegation was of local people who knew the local problems in each of the constituencies. The Minister said that the Government were happy to hear about Bradford's problems and understood that the local authority was doing all that it could. Bradford has even tried to implement the private finance initiative—an idea that came from Labour and has been suggested by Tories as the way forward. The response to Bradford's all-party request for £40 million to £60 million was a measly £4 million. So it is obvious that the funding is not there.

Bradford's council has had to cut £12 million from its budget this year, even with the increase of 9.2 per cent. Bradford's cuts in the past three years have been more than £50 million. It cannot deliver services to the standard that is required when it is having to make cuts to that extent.

For the first time, charges have been introduced in our galleries and museums. The people of Bradford have always been proud of their cultural heritage. The council did not want to put museums and galleries out of the reach of those who could not afford to pay those charges. Under the present system it will have to do so. We are also going to have to increase charges for the elderly, for example for social service provision in day centres. Local democracy should be about being voted out if one does not do what local people want.

Although it is Labour party policy to bring back the business rate, the business community wants it as well because they have seen the benefits of being involved in partnership schemes and discussions. Bradford chamber of commerce is more than willing to support bringing the business rate back to the local authority because it wants to play its part within the local community. As an interesting aside, the business rate would have increased by 40 per cent. on revaluation, so the Government had to bring in a transitional relief. Local business must be encouraged to be part of the community—and they want to be a part.

Powers have been taken away from local government and given to unaccountable bodies such as the local training and enterprise councils and colleges. We need to bring those powers back.

It is appalling that Ministers attack Labour-controlled local authorities in the Chamber and yet go to them for photo calls on good practice, as they did in Bradford recently. In Bradford and other cities, Ministers have wanted to be a part of the publicity for good council practices, for example on closed circuit television, crime initiatives and road safety.

We should be looking into council finances. What about this nonsense of year-on-year spend? When the Budget was changed from April to November, local authorities had only four or five months to determine how to spend their moneys. They did not get the final figures for the spend for the year starting in April until the December of the previous year.

Perhaps we should be considering three-year plans for spending, which would give councils the opportunity for development and the chance to plan for the future. Instead, we are seeing political dogma—if it is anything to do with a Labour local authority, it is not good.

What of the paragons of virtue that have been put before us today? Westminster would damage people's health by putting them in flats full of asbestos. Brent is full of corruption and it is not the Labour party, but the Audit Commission that has said so, among others. So where are the paragons of virtue among Tory-controlled authorities?

That is not to say that there are no good Tory councillors. We have good Tory councillors in Bradford. When they see that the district has a need, they put the district and not their party politics first. They are doing so in the all-party bids that have been put to the Government. The sad thing about it is that the Government do not listen to them.

What do we get when we speak to Ministers? They say, "Why don't you sell it off?" and, "Why don't you privatise it?" They said that about old people's homes, children's playgrounds that are not in use and school playing fields. That is always their approach.

When the hon. Member for Brentwood and Ongar led Bradford council, he had what he called the sale of the century. He was prepared to sell any of his city's assets, cultural or otherwise, for short-term gain at the expense of the long-term future of the district.

In education, things are so bad in Bradford that many children have corridors as classrooms. We have more temporary classrooms than anywhere else in the country. I see the hon. Member for Brentwood and Ongar returning to the Chamber, smiling. He talks about local need but he seems to have forgotten that, in 1985, under the old rating system, his group put the rates up by 36 per cent. when it was in control. I think that he was right to do so because he was meeting local needs. How interesting that he has changed his mind now.

Mr. Pickles: I am grateful to the hon. Gentleman for his customary courtesy in giving way and I apologise for missing the earlier part of his speech. I remember that when Bradford council was Conservative-controlled, it used to put extra resources into education and extra teachers. When the Labour party took control, it made cuts. I also remember that when the council tried to renovate old people's homes, the Labour party opposed it and sold the same homes off to Labour councillors.

Mr. Sutcliffe: I am sorry that I gave way because the hon. Gentleman's memory is obviously failing him.

Mr. Dobson: CJD again.

Mr. Sutcliffe: Yes, too many beefburgers. Had the hon. Member for Brentwood and Ongar been here for the earlier part of my speech he would have heard about the cuts that Bradford has suffered over the years. He knows the true situation, but he is off and away—unfortunately, the people of Essex have him now.

Many Ministers saw compulsory competitive tendering as the way forward—the way to make council services more efficient and effective. The reality is this: wages and concern for conditions have dramatically reduced and job losses have affected people who could not afford to lose their jobs. Had the rules on competitive tendering been fair, one would have accepted that, but Bradford seems to have been singled out by the Government again. Bradmet, the organisation for direct works that the hon. Member for Brentwood and Ongar was involved in setting up, has been barred from two contracts by the Government because of what they say are anti-competitive policies.

The Parliamentary Under-Secretary of State for the Environment (Sir Paul Beresford): What about Bradmet's missing £1.9 million?

Mr. Sutcliffe: The Minister is welcome to intervene, but not from a sedentary position. As he is interested, I hope that he will consider investigating the company that has won the highways contract. The relationship between senior civil servants and private sector company directors has been mentioned in the House before. I understand that

[Mr. Sutcliffe]

Tarmac has won the contract. Will he examine the activities of a Mr. J Hobson, who is a senior civil servant in his Department and also a director of Tarmac? Is that not a conflict of interest?

Sir Paul Beresford: I understand that such situations are being looked into, but where has the £1.9 million that has disappeared from Bradmet gone?

Mr. Sutcliffe: The Minister knows that there is an inquiry and that auditors and the Audit Commission have been heavily involved. If he has any problems about that, I am sure that he will let us know. He talks about the £1.9 million, but what about the disclosure that a senior civil servant is on the board of a company that is interested in a contract? I hope that he will examine that.

Sir Paul Beresford: Perhaps the hon. Gentleman could assist the auditor by helping to find some of the papers that seem to have disappeared and the head of services who has suddenly gone ill?

Mr. Sutcliffe: If the Minister wants to pursue that, he can do it outside this debate. I would be only too willing to meet him at any time to discuss Bradford's problems. The trouble is that when we talk to him about them, he does not listen.

We need to make sure that local government gets its rightful place. After 17 years of Tory central Government when local government has not been appreciated, the next Labour Government—and that is not far off—will recognise the successes of Labour local government in adverse circumstances. When we have the resources, and the support of a central Government who understand how we need to develop local government, councillors will realise their worth. It is unfortunate that we cannot have a sensible debate on local government. We understand why; the Tories have given up on local government.

9.6 pm

Mr. Jacques Arnold (Gravesham): It is extraordinary that this debate would be taking place on a day when 1,500 GP practices become fundholders and the majority of the population are being better cared for as a result. On the day when a new environment agency comes on stream and key European issues are to the fore, we get an April fools day debate with a motion worthy of a failed GCSE politics student. No doubt the hon. Member for Holborn and St. Pancras (Mr. Dobson) would merely declare that it seemed a good idea at the time, but his speech was unworthy of the House of Commons and in marked contrast to that of my right hon. Friend the Secretary of State for the Environment.

The motion suggests that the disgraceful Labour council tax increases are somehow the Government's fault. Time after time, Labour spokesmen come to the Dispatch Box to say that they are ready for office, but when they make a shambles of the many councils that they control it is the Government's fault, not that of their party's administrations.

I shall confine most of my speech to local government and the council tax in the fair county of Kent. I start with Kent county council, which has had the misfortune of being run by a coalition of the Labour and Liberal Democrat parties since 1993. This year, we in Kent were immensely grateful to the Government for increasing their funding of Kent county council by 4.2 per cent. With inflation running at 2.8 per cent., that gives the lie to Labour's repeated claims about underfunding. The increased funding for Kent and most other authorities, which is ahead of inflation, speaks for itself.

Government funding for education in Kent has increased by 4 per cent., which means an extra £22.5 million for Kent schools. We have had the highest award in the country for school buildings—up by 7.5 per cent. Among the shire counties, we have received the highest amount from the Government for new roads and our road programme—£81 million. All the nonsense about inadequate Government funding just does not add up when one looks at the facts.

Despite the increase of 4.2 per cent. in funding from the Government for Kent county council, which is way ahead of inflation, the Lib-Lab pact running the county council has had the nerve to go to the council tax payers for an increase of 5.6 per cent. That might be thought worth while if it was to be spent on services, but school budgets in our county will increase this year by just 3.4 per cent.—a much lower figure than the increase in Government funding to the county council, and a much lower figure than the increase in the council tax. That follows on from last year when, despite an extra 2.4 per cent. in funding from the Government, the schools just got 1 per cent. extra—and that was after a monumental row which left the Labour party cowering under the school desks.

One has to ask whether such funding is due to incompetence on the part of the Labour and Liberal Democrat parties or political malice. Let us consider incompetence on the part of Labour and Liberal Democrats on Kent county council. More than 50 per cent. of our secondary schools are now grant maintained and more than 50 per cent. of secondary school students are now in grant-maintained schools; yet the central education administration of Kent county council has not been reduced by anything like 50 per cent. The proof of the pudding is in the figures. The council keeps back £81 per child from schools throughout the county to be spent by the bureaucrats at county hall. That figure is the highest of any shire county in England. Our answer to that is that it should do better.

The council has spent a vast amount of money and has had its officers and lawyers working overtime to try to sabotage the grant-maintained schools. It tried to introduce a new system, which it botched up, for the selection process for youngsters aged 11 who have applied to the grammar schools. It has spent a vast amount of money, estimated to be in excess of £1 million in terms of officers' time and other costs, trying to bamboozle the Local Government Commission about local government reform. As for its scatter-gun approach to the roads programme, the result has been a disgraceful shambles. Many major road projects have seized up, notably in the Medway towns.

So on the charge of incompetence, yes, the council is guilty. But what about malice? I would say that it is certainly guilty of this, too. The Conservative opposition on Kent county council proposed a detailed budget for the coming year, which demonstrated better value for money and would have resulted in a council tax increase

restricted to the rate of inflation at 2.9 per cent., but what did the Labour and Liberal-Democrat councillors do? They voted it down.

It is also extremely interesting to look at what has happened to the district and borough councils of Kent. Sadly, none of them is under Conservative control. Last year, far too many voters did not go along to vote—for reasons that we do not need to discuss now—and thus saddled themselves with Labour and Liberal Democrat councils. The Opposition spokesman has said that we should look at Labour in government. Indeed, let us look at it. Let us look at three councils—Sevenoaks, Tonbridge and Malling, and Ashford—which had been Conservative since time immemorial. Thanks to the election last year, they are now under Labour and Liberal Democrat coalitions. What did those great political party councillors do? They threw off management controls and had bright spending ideas. And what has been the result? The bills going out to the residents of those three districts have gone up. In Ashford, they have increased by 12.4 per cent.; in Tonbridge and Malling, they have increased by 24.8 per cent.; and in Sevenoaks, the district precept levied by the Liberal Democrat and Labour parties has increased by no less than 89 per cent. So much for Labour and Liberal Democrat control. Perhaps the electors of those boroughs will make sure that they vote next time. In those boroughs there is new Blairite co-operation between Labour and Liberal Democrats. What happens when one or other of those parties runs a council alone? Gillingham has been in the hands of the Liberal Democrats for some years. Its council tax increase is 8.7 per cent. this year.

As this is a Labour debate, however, let us consider Labour councils. Dartford went Labour last year. What thanks did the poor council tax payers get? They got an increase of 15 per cent. in the levy from the borough council. Rochester went Labour in 1991. Under the Conservatives, the city council subsidised the greater part of the Kent county council precept and levied the lowest shire district council tax in England. It was able to do so because of careful Conservative husbandry of the finances and the management of capital funds. Now it has been under Labour control for five years, and what has happened? Labour has blown the funds to such an extent that this year there is no subsidy to Kent county council and the people of the city of Rochester are feeling the full weight of the county level like the rest of us. And where is the highest council tax in Kent? It is in Labour Thanet.

What of my borough of Gravesham? This year, our council tax increased by a modest 2.9 per cent.—that is only £40,000 from the electorate—but why was that increase levied when the Labour borough council proposes to put £697,000 into reserves, taking those reserves to £4 million? Why increase the load on the backs of my constituents? The Conservative group on the council recommended no increase, but the Labour party voted it down. It is worth bearing in mind the fact that only a few years ago, when Gravesham borough council was Conservative, it had the third lowest council tax among the shire districts—after Rochester city, which was then Conservative, and Wellingborough, which due to the wisdom of its residents is still controlled by the Conservatives with their independent allies.

I hope that the good management of councils in Kent by the Conservatives for many decades will not fade too fast before we regain control of those councils. The people of Kent should take as a warning the record of councils that have had Labour control in the long term. They must weigh up the facts for themselves. The highest council tax in Kent—currently in Labour Thanet—is £640 at band D. That council has only just become Labour-controlled. The people of Kent should compare that with the band D council tax of Labour Liverpool at £1,006, or of Labour North Lincolnshire, which is not dissimilar to some of the Kent districts, at £887. Of the 20 councils with the highest council tax, 18 are Labour; of the eight with the lowest council tax, even with the small number of Conservative councils today, six are Conservative while the other two are the City of London and the Isles of Scilly, which do not carry out politics locally.

The lesson for the people of Kent is clear: Labour councils cost you more.

9.17 pm

Mr. Ken Purchase (Wolverhampton, North–East): Disappointingly, part of the debate has been marked by an attack on public servants in local government. It is surprising to hear former leaders of local authorities going to town about slush funds. Earlier, we heard of a county which allegedly had very high reserves that were referred to as a "slush fund". That council, which I understand is a coalition of interests, has nothing to fear and nothing to hide when compared with the Conservative sleaze that we more properly associate with the term "slush fund". It is more appropriate for Conservative Members to apply that term to themselves than to any other party in the House.

I wish to defend people who have worked for a long time in local government. I hear talk, not about council members, but about some professional officers who have served in local authorities for many years. They certainly are professional officers, no matter how much Conservative Members shake their heads. Those officers are properly qualified in their professions and they give a proper, good, efficient and effective service to their communities.

The House has heard complaints that rate increases vary from district to district, from borough to borough and from county to county. Of course they do: that is local government reflecting the needs of each area. People have been blamed for voting for people other than Conservatives, but that is the nature of local democracy—words which do not frequently pass the lips of Conservative Members, and when they do they are usually employed as marks of hypocrisy and cant.

It is unfortunate that we have had to listen to an attack on the integrity of local government which, by and large, has a proud record of serving the interests of its communities. In so doing it will almost certainly continue, as long as it is allowed, to have rate demands set at different levels for different purposes for different services serving different communities. And long may those arrangements continue, for they are entirely admirable.

Many of us who served in local government remember when an uptight grocer's daughter stamped her foot and decided to put an end to the rating system. She charged several of her Ministers to find ways in which the powers of local government and hence its spending could be curbed. My hon. Friend the Member for North–East Derbyshire (Mr. Barnes) mentioned the methodology. The first method employed by the Government was simple, straightforward and crude: it was to ensure that

[Mr. Ken Purchase]

Labour-controlled authorities would be punished. The Deputy Prime Minister, who at that time was Secretary of State for the Environment, contrived a formula so complex in its application that no computer installation in western Europe could cope with the calculation: it had to be sent to Texas in the USA where the calculation was worked out authority by authority. As Robert Burns said,

"O what a tangled web we weave, When first we practise to deceive."

I apologise to Burns if I did not quite get that right, but I am sure that hon. Members know exactly what I mean.

That exercise by the then Secretary of State for the Environment was followed by what was probably the greatest débâcle in the history of local government: the poll tax. That was the uptight grocer girl's next attempt, and it was a total, miserable and utter failure. By golly, there was a price to be paid and it is still being paid. My hon. Friends have referred to the difficulty of collecting huge unpaid poll tax bills going back many years simply because people did not have the money to pay an outrageous tax which was levied on them to satisfy political incompetence on the back of political malevolence, for that is the only way in which it can be described.

Now we have a council tax system which relies on banding. The hon. Member for Newbury (Mr. Rendel) spoke of the awfulness of the present system and, of course, he is right. Eventually, the Conservatives may hit on a big idea for local government. They might think about calling it the rating system under which there is a rateable value for every property and those who can afford it will pay and those who cannot afford to do so will get help by way of a rebate. That would be a revolution. People would be grateful to get back to those happy, far-off days.

Under an exceedingly high gearing, 80 per cent. of local government finance is not collected by local government. That means that only 20 per cent. is collected, but in those far-off happy days we provided over 33 per cent. of locally funded schemes and paid far less for our services. My borough now has £30 million less to spend in real terms than it spent in those far-off happy days when there was a rating system and the method of disbursing central Government grant was fair and reasonable. Those are the differences.

In the early 1980s, when the late Sir Keith Joseph was Secretary of State for Education, my borough brought forward a plan to reduce school places. It is expensive to keep school places empty and we intended to reduce them to the level suggested by the then Department of Education. What happened? Sir Keith could not see his way clear to agree to our plan. We asked whether we could bring forward a modified plan. We were told that we could, but that we would have to go through exactly the same procedure to come to the table with the Secretary of State with a plan. We have been implored to reduce places in schools, but when authorities have come forward with viable plans which have not suited the Tories, they have been turned down—thus adding to the overall burden of local government expenditure.

My authority is a good example of what is happening now. This year, my authority has a growth figure of 1 per cent. in real terms in education, which seems to me to be a considerable achievement; in fact, it is exemplary in my borough, considering that under a Conservative ideology it delegates 90 per cent. of the entire budget to schools. In that sense, my borough does everything that has been asked. However, over the years the cuts have been very hurtful—many teachers have had to leave the service by one route or another and the pupil-teacher ratio has increased.

My borough experiences severe deprivation; yet this year the social services budget has been cut by £250,000 in relation to services for the disabled—and many other cuts have been made in the social services area. The economic development function has been diminished in a borough with an unemployment rate well above average—there is up to 30 per cent. unemployment among young people in some areas. It is incumbent on the Government to recognise what is being done in local government, to recognise the varying conditions which exist and to fund their part of it properly.

Unfortunately, the council tax in Wolverhampton has increased by 15 per cent. this year—despite sending 90 per cent. down to schools and despite making major cuts in some of the services. We are a good example of having to pay more but getting less—that is what has been happening in Wolverhampton. It is a good authority, and it has been recognised as such for 30 years or more, under both Labour and Conservative control.

We have taken it on the chin in Wolverhampton when Labour has lost control of the council—we have recognised that the local population has said, "Labour, you are not doing the job that we want you to do", and it has voted us out and put in Conservatives—often in coalition with the Liberals, which is a bit of a change-around. However, they have then voted Labour back in again.

Hon. Members must accept that local democracy is an important and cherished bloom among those who value local government, local democracy and all that it means to local populations. Local democracy can work when it is properly and reasonably funded, both from central Government resources and from its own resources.

9.28 pm

Mr. Robert G. Hughes (Harrow, West): Tonight the Labour party has referred to something that it thinks will wash with the electorate until the next election—that if only the formula could be got right, we could have more money to spend in our areas. I have listened to Labour Members and I am worried because I think that some of them actually believe it. It is not true and it does not mean anything. A number of Labour Members have said, "If the formula were different, there would be more to spend in my constituency and my council would have more". They forget that they would merely be robbing other councils—often Labour controlled—in a system which simply would not work.

If one wants more money for services—as, no doubt, the Labour party will pretend that it will provide—one has to increase the amount of money produced in taxation. What must be most worrying, certainly for my constituents and, indeed, for people throughout the country, is what the Labour party would do with the return to business rates. We all remember—certainly those of us who served in local government remember—that the Labour party in local government regarded business rates

as a milch cow. Businesses did not have a vote, so Labour went through the process of consulting them and then ignored them. The result, certainly in London, was that people moved their businesses. They voted with their feet and moved out of Labour-controlled areas into Conservative-controlled areas.

Mr. Dobson: Balderdash!

Mr. Hughes: It is all very well for the hon. Member for Holborn and St. Pancras (Mr. Dobson) to swear, using unparliamentary language to describe what I said, but I represented Croydon on the Greater London council until 10 years yesterday, and businesses were moving out of Lambeth and into Croydon to avoid Lambeth's business rates.

On top of that, there were spending promises from every Labour councillor one could name. Labour supporters in the unions demanded that compulsory competitive tendering be abolished, which meant that the cost of providing services would go up. There was the cost of a return to regional authorities and those who hold the blank cheques of nods and winks from the Labour party, demanding that more money be spent on every service that one could name.

In conclusion—I have only two minutes to speak in the debate if, unlike some hon. Members, I am to stick to the agreement that I made—if the Labour party were to hold to what it promises the people every time it opens its mouth, it would have to increase taxes both locally and nationally. The hon. Member for Holborn and St. Pancras says that he never listens to experts: anyone who has ever listened to his speeches will know what he means and will not be at all surprised.

9.32 pm

Ms Hilary Armstrong (North–West Durham): Conservative Members have tried to suggest that people will pay more and get less. People do pay more and get less under the Conservative Government. The Government have a history, certainly since the previous election, of extracting from the taxpayer more and more in tax. This month, with the increase in council tax, people across Britain will face their 23rd Tory tax hike. Council tax bills will go up. Services will be cut. Taxpayers will pay more but get less. Ordinary families throughout the land are paying the price of Tory economic mismanagement and incompetence.

As if it was not bad enough that the Government have introduced 22 new taxes since 1992, costing the typical family an extra £670 a year, residents will now face hefty increases in their council tax bills.

Sir Paul Beresford: By how much will Labour load central taxpayers, to give to local government?

Ms Armstrong: I shall deal with the Minister's sedentary intervention in a moment.

Government figures produced during the Budget, and subsequent statements from civil servants and politicians, show that the Government have a clear policy of forcing the council tax up, not just this year, but next year and the year after that. Council tax payers will have to fork out an extra £3.5 billion over the next three years—equivalent to almost 2p on the basic rate of income tax. Since the general election, we have experienced three years of Tory-driven national tax increases, which are to be followed by three years of Tory-planned local tax increases.

During the previous election, unsurprisingly, so busy were they scaremongering about what a Labour Government would do, that Tory politicians appeared to forget—I am always generous in my interpretation of history—to tell the electorate that under a John Major Government taxes would go up and up. In fact, Tory politicians appear to have got so muddled that they told the electorate that taxes would not go up. The 1992 Conservative party manifesto, for example, stated clearly:

"We will maintain mortgage tax relief".

What happened? The Conservatives cut mortgage tax relief two years running.

On 28 January 1992, the Prime Minister told the Leader of the Opposition in the House:

"So that the right hon. Gentleman is in no doubt, I tell him that I have no plans to raise the top rate of tax or the level of national insurance contributions."—[*Official Report*, 28 January 1992; Vol. 202, c. 808.]

In 1993, what did the Conservatives do? They raised the rate of national insurance contributions from 9 per cent. to 10 per cent.

On 27 March 1992, John Major told the electorate:

"I have made it clear, we have no plans"—

Madam Deputy Speaker: Order. I think that the hon. Lady has forgotten the convention that hon. Members do not use names, but use only titles.

Ms Armstrong: I am sorry, Madam Deputy Speaker. The Prime Minister—even better—told the electorate:

"I have made it clear, we have no plans and indeed no need to extend the scope of VAT".

What did the Conservatives do? In the very first Budget following that election, the Government extended VAT to home energy and fuel. Now, no more than 12 months away from a general election, Ministers are scurrying around trying to pretend that they really have not been putting up taxes—oh no. The problem is that public finances are in such a mess that their options were restricted. I wonder who got the public finances into such a mess.

Accordingly, the Government resorted to their twin magic tricks. The first is the sleight-of-hand trick: having put up taxes every year, they are trying to claim maximum credit for a 1p cut in income tax while denying responsibility for grabbing the money back by forcing council taxes up. The second trick is entitled "pass the buck", and involves central Government cutting support for local government and then blaming councils for the fact that they have had to raise the council tax to pay for essential services.

The problem that the Government and Conservative Members face is that the electorate are becoming tired of these old Tory tricks. They can see through them; they know what is going on, and where the blame truly lies. What the electorate want is honesty. They do not expect miracles, but they do not expect tricks either. They want

[Ms Armstrong]

us to be honest and straight with them. Unfortunately, they have not had such treatment from the Government, and they have not had it from some Tory councils either.

Mr. Tracey: Will the hon. Lady give way?

Ms Armstrong: I have already given way to other hon. Members, and I want to ensure that the Minister has time to reply.

I also want to respond to what the right hon. Member for Brent, North (Sir R. Boyson) had to say. I thought it very brave of him to defend Brent council this evening. The House has not just heard and considered Westminster's problems in past weeks; there is also the real problem in Brent. Before the elections in May 1994, Brent electors were told that the Tories were committed to cutting the council tax. The right hon. Gentleman is right: they did cut it. However, they appeared to be suffering from amnesia when it came to telling the electorate, or even the council, where the necessary funds were to be found.

A Conservative Political Centre pamphlet launched this weekend, co-written by—*[Interruption.]* I am sorry, Madam Deputy Speaker; I am trying to listen to the sedentary interventions.

Madam Deputy Speaker: I think that the House knows my views on sedentary interruptions. I am afraid that they apply to hon. Members on both sides of the House.

Ms Armstrong: The pamphlet tells us:

"Brent Conservatives . . . were even in a position to tell voters the amount by which taxes would be cut by the Conservatives in their first year of office; clearly this did a great deal to help them win the election."

So we have that model of Tory best practice.

The electorate, however, were not told of the gaping hole in the council's finances or that the cut had to be financed through a quick sale of Alperton lane depot to Onyx, a deal that was conditional on the company being given the profit-making council contract to manage trade waste collection and skip services. The deal was never even reported to a council committee. It cost taxpayers £1 million. The truth has only now come out and been reported to the district auditor. That deal, which appears to be ultra vires, went ahead because Conservative councillors were more interested in cutting the council tax than in protecting the public interest and probity in local government.

This year, the Tory budget in Brent is again in a shambles. The council was clear that the minimum prudent reserves were about £2.5 million. All parties in Brent proposed budgets that set aside £2.5 million in reserves, but, unlike Labour and the Liberals, whose budgets were driven by a commitment to quality, efficient services and a sustainable public financial regime, the Tories were more obsessed with cutting the council tax and so they misled the council and council tax payers.

In the past couple of days, therefore, those Tories have had to announce that they forgot to include expenditure of £1.1 million for statutory special education and for the funding for recycling initiatives, so, surprise surprise, once the budget had been agreed, the Tories admitted the oversight and had to raise those balances by £1 million. We shall ensure that the auditor has a chance to say something about that.

It is of course possible to cut budgets if councillors are not going to take any notice of the district auditor and of probity. I know the right hon. Member for Brent, North well and that, above all, he expects and demands honesty, so I hope that he will ask his councillors some questions about how they managed to cut the council tax last year and this year.

Other authorities have been trumpeted today. We have heard about Wandsworth council. We seem to have forgotten that, this year, it issued a press release bemoaning the end of the bonanza last year, when 35 per cent. of all transitional relief money went to one council: Wandsworth. Because this year the Government wanted the level in Brent to be lower than in Wandsworth, they removed the bonanza and changed the basis of the arrangements. Wandsworth councillors are not happy.

The Government have a responsibility to protect the public interest, but instead they collude with councillors in Brent who want to avoid the honest budget process. My hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson) has already read the letter which, following the 1994 budget, Brent council's leader wrote to officers in the Department of the Environment—I trust political officers.

The activities in Brent contrast sharply with those in many other authorities, where councillors are working hard properly to meet aims and aspirations.

Mr. Gummer: It is well run.

Ms Armstrong: I am amazed that the Secretary of State dares say that it is well run. I have already given the figure on the cases in Brent that have been proved by the ombudsman, which number 43—I got the number wrong earlier. The nearest other London council had 17 cases. The ombudsman does not, therefore, seem to agree with the Secretary of State.

Time and again, the Tory Government are hitting taxpayers where it hurts. In the same way as it was not an accident that there were tax cuts before the previous general election and huge tax rises after that election, it is not an accident that, in the year before the next general election, income tax is cut by 1p and the Government are grabbing the money back through the council tax.

Several of my hon. Friends pointed out the problems with the way in which the Government calculate the standard spending assessment. My hon. Friend the Member for North-East Derbyshire (Mr. Barnes) has long given great service by raising the matter year after year. My hon. Friend the Member for Alyn and Deeside (Mr. Jones) mentioned the importance of what is happening in Wales today, when Wales is having new authorities forced on it because of the Government's gerrymandering.

Authorities across the country are desperately trying to provide fire services and other services to meet the aspirations of local people, but are having to cut those services while increasing the money that they raise.

Despite the Secretary of State's attempts to pass the buck on taxation, the truth is clear from the Department of the Environment's annual report, which states:

"This reflects the Government's view that council tax payers should contribute a slightly increased proportion of the costs of local government".

That is what it is about—because the Government cannot manage their finances, they are putting the onus on council tax payers.

It is a tribute to the hard work and efficiency of local government—*[Interruption.]* The Under–Secretary of State for the Environment, the hon. Member for Croydon, Central (Sir P. Beresford), continues to tries to laud the 13 councils that the Tories still run. Why are there only 13 of them? It is because of democracy. The Government hate the fact that democracy works.

Tribute must be paid to the hard-working councillors for having managed to keep the council tax increase below the 8 per cent. that the Tories expected. The Government said that the increase would be 8 per cent., but the average increase is lower. Instead of indulging in complacent attacks on local government, it is time that the Government admitted the truth which, I know, is hard for them. The truth is that local people are having to pay more but get less because of the Government's incompetence and mismanagement.

The people will know what to do when they experience the 23rd tax increase since 1992. They will know how to vote. I look forward to seeing the Government suffer the results of what the electorate say.

9.47 pm

The Parliamentary Under–Secretary of State for Wales (Mr. Gwilym Jones): We thank the hon. Member for North–West Durham (Ms Armstrong) for her cure for insomnia. The positive approach to local government was most appropriately set out by right hon. Friend the Secretary of State when he began the Government's response to the motion. He drove home the differences between Labour and Conservative councils in practice and between what Labour says and what Labour does. That point was well echoed by my right hon. Friend the Member for Brent, North (Sir R. Boyson) and my hon. Friends the Members for Wellingborough (Sir P. Fry), for Surbiton (Mr. Tracey), for Brentwood and Ongar (Mr. Pickles), for Gravesham (Mr. Arnold) and for Harrow, West (Mr. Hughes). I am grateful to my right hon. Friend the Secretary of State for the opportunity to ensure that this debate on local government is fully rounded and includes Wales and England. I intend to make proper mention of Wales shortly.

This is an Opposition debate, but what a lacklustre, uninspiring performance we saw from Opposition Members, despite the fact that it was their choice of subject. The only enlivenment provided by the hon. Member for Holborn and St. Pancras (Mr. Dobson) came when he displayed his giggle factor. He also displayed an almost maniacal twitch as he looked around desperately for supporters on the Benches behind him. The hon. Gentleman really knows how to pack them in—at the height of his oratory, he had nine Back Benchers to support him. It is no wonder, as he had nothing new to offer and there was no substance to his speech, which was merely a collection of incoherent points. In addition, his figures did not add up. Even he admitted that he refuses to listen to experts—I have to say that that came over very clearly. We know that he has maintained his amateur status, or, perhaps it would be more accurate to say that, along with the hon. Members for Peckham (Ms Harman) and for Edinburgh, East (Dr. Strang), he has displayed that the Labour party is unfit to govern.

The hon. Members for Newbury (Mr. Rendel) and for Meirionnydd Nant Conwy (Mr. Llwyd), in line with the hon. Member for Holborn and St. Pancras, called for more spending and more accountability. The hon. Member for Newbury wanted local income tax. I can imagine how that would be welcomed. None of them would quantify what he had in mind or put figures on the bills that would be presented. Perversely, they complained that the Government should give more to local government, but again, they would not quantify it. I must ask how such demands square with the abolition of capping and the provision of greater accountability. They simply cannot make up their minds.

Over and over, it came across this evening that new Labour equals new taxation. It would impose a minimum wage. That would have to be paid for. It would abolish compulsory competitive tendering. My right hon. Friend the Secretary of State dared to offer the advice in *The Guardian* that such a plan would be a dangerous capitulation to the unions, and yet another expert was brushed aside by the hon. Member for Holborn and St. Pancras. Labour would want to put business taxes under local-authority control. I defy the hon. Member for Bradford, South (Mr. Sutcliffe) to come up with any credible authority in the business world which would prefer to return to what was previously inflicted on it.

All that is as well as abolishing capping. It is incredible to think of the total that would be created as a result. I honestly believe that, in their heart of hearts, the last thing that Labour Members want the Government to do is abolish capping and let their Labour supporters loose in local government. Have they ever stopped to think about the effect? That point was well brought home by my hon. Friend the Member for Wellingborough. It brings us back to the Labour party saying one thing and doing another. It is proof of the prophecy that my right hon. Friend the Secretary of State quoted earlier. The Leader of the Opposition said in *The Spectator*:

"I don't think the character of any party becomes clear until you're in power."

It is exactly as my hon. Friend the Member for Wellingborough said when he referred to the way in which his Labour-controlled county council has not passed on all the money that it has been given for education to the schools; it is saying one thing, doing another.

New Labour is certainly the party of new taxation. If the list that I have read out is not enough, I remind the House about the tartan tax that Labour would impose in Scotland and the taffia tax that it would impose in Wales to pay the price of a Welsh Assembly that would be brought in without giving the people of Wales any opportunity to comment on it.

Mr. Robert Ainsworth (Coventry, North–East): Will the hon. Gentleman give way?

Mr. Jones: I fear that time is too short.

As has been mentioned, 1 April should be a great day for local government in Wales. We have had fireworks to celebrate the end of such unloved councils as South

[Mr. Jones]

Glamorgan. Today is the completion of a process that was begun in 1974. We have ended the two-tier system and the confusion apparent in so many people's minds about which council did what. Such confusion certainly existed among the councils themselves.

Now we have 22 new unitary authorities in Wales. They are much more closer to the people whom they are meant to serve. What will those new councils do? The people of Wales will rush to say that clearly they must do better than their predecessors.

Mr. Wigley *rose—*

Mr. Jones: I am afraid that time is too short. [HON. MEMBERS: "Go on."]

Mr. Jones: Very well.

Mr. Wigley: The Minister will be very well aware that among the new authorities assuming power in Wales today there is a massive variation in increases in council tax. His own council of Cardiff, Rhondda, Cynon, Taff, and Gwynedd have increased their council tax by up to 25 per cent., whereas neighbouring authorities, carrying on the policies that they inherited from their predecessors, have needed only to increase their council tax by 3 or 4 per cent. Will he give an undertaking that during the year the Welsh Office will consider the distribution of grants in order to find the anomalies that have led to today's position so that it can be put right for next year?

Mr. Jones: We shall certainly look at the SSAs for Wales, beginning with community care and education. The hon. Gentleman would have to agree that in Wales we have been caned this year by the level of council tax increases. There is a simple explanation why: there are no elections in Wales this year. We had elections in every council last year, and there were far lower increases, but now the accountability has been removed.

My constituents would name education and community care as obvious priorities for spending. However, we were reminded again recently by the Audit Commission of the bad reputation of South Glamorgan council. It is the second lowest county council in England and Wales for spending on education. It does not have the excuse that it is a low-spending authority because we know from the Audit Commission that it is the sixth highest spender in England and Wales. We have excellent schools across Cardiff; I think of Whitchurch, Llanishen and Cardiff high. What they achieve is despite the Labour-controlled education authority and not because of it. Labour's meanness comes through so clearly in South Glamorgan, in Wales and elsewhere in the United Kingdom. It has been proved over and again that education is not safe in the hands of the Labour party.

Opposition Members have made it clear that they think that the level of resources for local government spending should be increased. It should be a simple matter for them to tell us by how much, but they do not. We should keep on asking the questions. I ask these questions at every available opportunity, but it is just as well that I am a patient man because I do not receive answers. I have not given up hope of receiving an answer and I shall give way now to the hon. Member for North–West Durham if she wants to give me one.

If we are to believe that local authorities are unable to manage effectively within the resources available to them, what are we to make of an article in the *Western Mail* on 19 March? I will enlighten hon. Members who may not have had an opportunity to read the article. It was headlined, "Local authorities in last spending spree" and it went on to report:

"The year of the big spend is almost at an end but local authority treasurers are still scouring town hall coffers. Many councils in Wales beefed up their spending programmes before they are abolished".

One local authority is reported to have found an extra £2.6 million in the past 12 months and the treasurer is quoted as saying:

"This year will be remembered as the year of the great spend. My creative accounting abilities and pulling out of the finance hat have been pushed to the limit."

Such reports give no credence to the laments of Opposition Members. In my view, it would have been much better for those authorities to contain their enthusiasm for breakneck spending and to provide their successor authorities with a sensible level of reserves.

Central Government support for local government spending in England and Wales for 1996-97 has increased by about 2.8 per cent. It has certainly not been cut as some reports suggest. It accounts for about 80 per cent. of English and Welsh total standard spending. Local government in both England and Wales argue that central Government support represents too high a proportion of spending, and that it fetters their discretion and diminishes local accountability. That can be remedied only by increasing the amount that local authorities can raise locally through the council tax.

The hon. Member for Alyn and Deeside (Mr. Jones) is concerned about Theatr Clwyd. The problems of Theatr Clwyd have not been caused by local government reorganisation; the decision was taken by Flintshire county council. It has the spending power, but it has chosen not to put money into the theatre. My right hon. Friend the Secretary of State and I have been most concerned about the theatre's future so we have offered £1.3 million to write off its debts. I must tell the hon. Member for Alyn and Deeside that the offer is conditional on a solution being found for the long-term future. We do not want Flintshire to create the problem each year. I cannot tell the hon. Gentleman the outcome because we received a reply from Flintshire county council only last Friday. The reply is being studied urgently and I can tell the hon. Gentleman that it is my hope that, as he wants, we shall reach a conclusion that secures the theatre's future.

Mr. Barry Jones: Does the Minister agree that the letter written to the Secretary of State for Wales by the leader of Flintshire county council gives the Minister the way forward so that we can keep open this excellent regional theatre?

Mr. Jones: All I can say tonight is that I hope that it does.

The hon. Gentleman and the hon. Member for Meirionnydd Nant Conwy were concerned about the new fire authorities. They should know that the financing of the new fire authorities has essentially not changed. It is

the responsibility of each unitary authority to set a budget, including provision for the fire service, in accordance with the resources available to it and its own assessment of needs and priorities. All the new fire authorities in Wales will spend more in the coming year than they did last year. The increases range from 2.2 per cent. for north Wales and 5.3 per cent. for south Wales to 10.5 for mid and west Wales. I have noted what hon. Members have said about a meeting with the North Wales fire authority, and I will ensure that the point is conveyed to my right hon. Friend the Secretary of State for Wales.

In conclusion, we have had a mean and whingeing debate from the Opposition this evening. Local government has the resources and the opportunities, and we certainly have the way forward in Wales with the new reorganised councils that are closer to the people they are meant to serve. That is the way forward, and I commend it to the House.

Question put, That the original words stand part of the Question:

The House divided: Ayes 245, Noes 287.

Division No. 91] **[21.59 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beith, Rt Hon A J
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Boateng, Paul
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N *(N'c'tle upon Tyne E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Cann, Jamie
Chidgey, David
Chisholm, Malcolm
Church, Judith
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Dafis, Cynog
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Chris *(L'Boro & S'worth)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge H'l)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, Alan *(Strat'rd-on-A)*
Howarth, George *(Knowsley North)*
Howells, Dr Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Illsley, Eric
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Shef'ld, H)*
Jamieson, David
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kilfoyle, Peter
Lestor, Joan *(Eccles)*
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
McMaster, Gordon
McNamara, Kevin
McWilliam, John
Madden, Max
Maddock, Diana
Mahon, Alice
Mandelson, Peter
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J *(Springburn)*
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Morgan, Rhodri
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Nicholson, Emma *(Devon West)*
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Orme, Rt Hon Stanley
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Powell, Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Raynsford, Nick
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Is'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steel, Rt Hon Sir David
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Wicks, Malcolm
Wigley, Dafydd
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Greg Pope and
Mr. Eric Martlew.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alexander, Richard
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkins, Rt Hon Robert
Atkinson, Peter *(Hexham)*
Baker, Rt Hon Kenneth *(Mole V)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Sir Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'shr)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forsythe, Clifford *(S Antrim)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garnier, Edward
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archibald
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Hicks, Robert
Higgins, Rt Hon Sir Terence
Hill, James *(Southampton Test)*
Horam, John
Howard, Rt Hon Michael
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Mawhinney, Rt Hon Dr Brian
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Rt Hon Sir Hector
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rumbold, Rt Hon Dame Angela
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shepherd, Sir Colin *(Hereford)*
Shersby, Sir Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'ter V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Wolfson, Mark
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Timothy Wood and
Mr. Gyles Brandreth.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 30 (Questions on amendments), and agreed to.*

MADAM DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House congratulates the Government on the rigorous approach it is taking towards all public expenditure, including that of local government; commends the clarity of their approach towards taxation and the funding of local services; and urges local authorities to make the most efficient use of the resources available.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 101(6) (Standing Committees on Delegated Legislation),

SUPREME COURT OF ENGLAND AND WALES

That the draft Maximum Number of Judges Order 1996, which was laid before this House on 18th March, be approved.—*[Mr. Conway.]*

Question agreed to.

LIAISON

Ordered,

That Mr. Greville Janner be discharged from the Liaison Committee.—*[Mr. Conway.]*

SCOTTISH AFFAIRS

Ordered,

That Mr. Terry Dicks be discharged from the Scottish Affairs Committee and Mr. John Marshall be added to the Committee.—*[Mr. MacKay, on behalf of the Committee of Selection.]*

PETITION

Roots and Shoots

10.15 pm

Miss Kate Hoey (Vauxhall): I have great pleasure in presenting a petition from more than 2,000 people living in the Kennington area, among whom are some hon. Members. It supports a valuable project called Roots and Shoots. I hope that you, Madam Deputy Speaker, will have an opportunity to visit this valuable scheme which provides work skills and training in horticultural products to disadvantaged young people in Lambeth. It should be adequately funded so that it can continue. People who know the value of the scheme have signed the petition. They have visited the scheme, bought the plants and seen what is happening there. I hope that the Minister responsible will study the petition carefully and do something to ensure that this valuable scheme does not have to fold. The petition states:

"Wherefore your Petitioners pray that your honourable House asks that the Secretary of State for Education and employment intervenes to save 'Roots and Shoots'.

And your Petitioners, as in duty bound, will ever pray".

To lie upon the Table.

Drought (Yorkshire)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Conway.]*

10.17 pm

Mrs. Helen Jackson (Sheffield, Hillsborough): I asked for this debate because of my disgust at the wriggling and constant evasion on the part of the Government and, in particular, of the regulator, in respect of the chaos that Yorkshire people suffered last year. As the public inquiry in Leeds town hall, funded by Yorkshire Water and headed by Professor Uff, provides more and more details of the inadequacies—which go back not months but years—I predict that the Government's explanation will change. Instead of saying that it had been an exceptional, once-in-500 years summer and that the company did all that it could, they will say that it is a case of one bad company and that now that its senior executives and chairman have gone, everything will be all right. I also predict that the Government will fail even to address the flaws in the regulatory system that allowed the chaos to happen.

The Government's golden rule is that nothing, but nothing, must be seen to be wrong with water privatisation. That must be stated and restated by Government and regulator alike but never subjected to public scrutiny. I suggest that even today's announcement about competition was more a diversion from the public scrutiny of the management of the water industry that people want than anything new about how the industry will be managed in future. What other reason is there for the refusal of the Department of the Environment and the regulator to attend or give evidence in public to the inquiry in Leeds? Were they not also involved during last year's crisis? Did not the Secretary of State meet the company's chairman, Gordon Jones? Did not Ian Byatt write letters of complaint to the company? Why should those meetings and that correspondence be kept secret when everything else is in the public domain?

The public inquiry has been useful, in particular because it has offered the chance to the other regulator, the National Rivers Authority, to clarify many of the long-term issues relating to water resource management in Yorkshire without getting hung up on the "we must defend privatisation" charade. Certain factors have stood out, including the explanation that water for drinking in Yorkshire and anywhere else can be collected for treatment purposes from three sources: reservoirs, bore holes and rivers. Reservoirs are the cheapest source because water flows down hill and is collected in the uplands, where it is kept relatively pure. Bore holes are the next most expensive option because of the pumping costs, and rivers are the most expensive because the water needs to be pumped and cleaned up more to make it safe to drink.

Last March, Yorkshire Water looked at the beautiful reservoirs of the Pennines brimming over after one of the wettest winters in history and saw not water, but a year of bumper profits. Instead of conserving the good wine till last, it gobbled it all up month after month through the summer. It was not until the middle of August, the 18th to be precise, that Yorkshire Water looked to increase its take from rivers, despite persistent NRA warnings.

[Mrs. Helen Jackson]

The second fact to come out of the inquiry is that the company was warned way back in 1991 that the grid system was not sufficient to move water around the county. Indeed, since 1989, drought restrictions have been imposed throughout the county in every single year.

The third fact to come out of the inquiry is that the need for investment to reduce leakage was identified four years ago, but no action was taken. According to the minutes of a meeting of the Ofwat Yorkshire customer service committee, the director general visited Yorkshire on 8 April 1992 to discuss in particular Ofwat's concern about the leakage control policy and the lack of investment to combat those leaks. There is nothing new about leaks.

The truth is that, last year, there was no drought in the real sense of the word in Yorkshire. A drought occurs when there is year on year of low rainfall—more like in 1976, or, potentially, this year—and when stocks are low after a number of dry winters and summers. In 1976, people displayed a community spirit to save on external use and garden watering.

Yorkshire people are not blind, and they can detect greed and waste. They saw the brimming reservoirs in March, and fished in them. Those reservoirs were full of public water collected from rain in public ownership. They saw and reported leaking pipes and discovered that it took at least two weeks for the company to take action. They read about the 100 million gallons of water leaking daily from company pipes. With one voice—chambers of commerce, Tory and Labour Members of Parliament, local authorities, rich and poor alike and public health bodies—they turned on the company when they were threatened with standpipes, rota cuts, business relocation and constant appeals to restrict their use of water for washing and in the garden. They said, "No. This is your problem. We, the customers, will not accept the blame." Indeed, usage started to go up every time a Yorkshire Water boss issued another television appeal.

Tonight, I want to take the issue further. The problem was not trivial, but touches the very heart of public health. People now want to know why the Government allowed that irresponsible company simultaneously to retain its senior management, return record profits and increase prices by nearly 6 per cent. while overseeing a crisis that could have caused major outbreaks of dysentery, environmental devastation and even mass evacuation.

The public want to know what the so-called independent regulator's role was in all this. He showed no concern about water resources last year until 21 August, when he issued a press release calling for

"the companies to improve the way they manage the demand for water"—

not the way they manage water, but the way they manage the demand for water. He admitted:

"where companies are short of water is it likely that leakage control should be an important part of its strategy, . . . In other areas, however, it will not be cost effective. These are decisions for the company to make. Although Ofwat monitors companies' leakage rates, its prime concern is with the service that customers get."

That is not true. If Ofwat's prime concern was for customers, we would have seen action years ago to set targets on leakage. Instead, Ofwat's prime concern is with the financial well-being of the water undertakers. In the words of the Department of the Environment, Ian Byatt is

"the independent economic regulator of the Water Industry in England and Wales."

It is to the director general that companies deliver their annual leakage returns and their five-year investment plans. It is the director general who says whether companies can sell off their land or reservoirs. It is he who receives their capital asset management reports.

Are all these reports and information simply a library exercise? No, they are not even that, because the information is kept behind closed doors and in locked cupboards and is not open to the public.

When investment proposals are inadequate, does the director general ever intervene? At the price review in 1994, he will have known that Yorkshire Water's investment in water distribution was dropping 26 per cent. from 1992 to 1993—a shortfall of £100 million, which just happens to be the sum being rushed through in six months to improve the grid because of the crisis.

What action did the regulator take at the time of the price review? What happens when investments have been promised and agreed but are not delivered? The inquiry heard last week from the Sewer Renovation Federation. I quote from the evidence of Paul Hayward:

"the total infrastructure renewals"

underspend

"for all . . . private water companies amounted to £398 million"

by March 1995,

"of which Yorkshire Water's share was £136 million".

That £136 million represents money collected from customers for the express purpose of maintaining the water and sewerage infrastructure, but not spent.

Mrs. Elizabeth Peacock (Batley and Spen): Does the hon. Lady agree that if Yorkshire Water had had first-class management last year, we would not have had a crisis because there was not a drought? There was water in many areas in Yorkshire, which Yorkshire Water said it would take five years to put pipelines in to transport. If we had had a first-class regulator who was doing his job properly, he would have urged them on to manage the company better, to ensure that leakages were reduced and that people in Yorkshire received the service for which they pay.

Mrs. Jackson: What the hon. Lady says endorses the concern and anger that has been felt by public representatives of all political views in Yorkshire about the poor management last year.

I would make two points in response. First, there were some extraordinary management decisions. In the middle of the crisis, when morale was at rock bottom, Yorkshire Water management continued the process of contracting out—outsourcing. On 4 August, in the middle of the crisis, it held a meeting with workers to say that the jobs of workers in leakage control teams in South Yorkshire were on the line. Is that not an extraordinary management decision, when everyone needs to join in and do what they can to tackle leakage? Yes, there were some extraordinary management decisions, but I am sure that the hon. Lady will acknowledge that the actions could have been taken before last year and then we should not have had the problem that we had last year.

Secondly, what is the point of the regulator having powers to monitor the service and financial indicators if he is either unwilling or unable to take action to ensure

that companies keep to their plans? He would say that in mid-November, which was right at the end of the crisis—it had even started to rain—he did decide to act. He was spurred on by the imminent public inquiry into the emergency drought order seeking permission to impose rota cuts.

The regulator wrote to Yorkshire Water stating that he intended to investigate its performance—in private. The only record that we have of that letter was leaked to *The Times* and he still will not make public the letter or what he was particularly concerned about. We know from the one in *The Times* that he was particularly concerned that the plight of customers

"raises serious questions about decisions taken by the company in the years leading up to this summer as well as the action or inaction in response to warning signs".

The regulator recognised that the problem went back some years and did not start just last summer. In the letter he announced that he was setting up a team which would report its findings in January. What team? I rang the regulator on Friday and I was told that it would not include any senior executives from the company, which is what had been said in the letter—if there were any of the old ones left—but that his team included just his own staff and appointed advisers. What have they been doing since 12 November and who are the consultant advisers? How much are they being paid and what are the inquiry's terms of reference? None of that information was forthcoming.

On 7 March, Mr. Horsman from the Mid-Yorkshire chamber of commerce received a letter from Mr. Byatt explaining that he would not attend the Leeds inquiry because his own inquiry was under way. In the letter, he said that the teams had been appointed and had started in January and that his inquiries would be completed in April. I wondered this morning if that was what the Secretary of State meant when he spoke about bringing competition into the water industry. As soon as one inquiry is set up, it has to compete with another.

Will there be a race to the finishing line? John Uff has given 30 April, but can Ian Byatt get there first? Is there a third report in preparation and completely under wraps? We must not forget Mr. Nixon, the Department of the Environment inspector from the Dewsbury public inquiry held on 12 to 14 November. His report was on the Secretary of State's desk by 24 November, but despite persistent questioning in the House, nobody saw it until 16 January when it was reluctantly placed in the regional office in Yorkshire and Humberside for anyone who was interested enough to go and get it. Even then, it came with a letter stating that the Secretary of State saw no useful purpose in going further into the questions that it raised because the application for the emergency drought order had been withdrawn. That two-day public inquiry was a waste of time.

We need answers from the Government about the part that they played in last year's crisis and in the period running up to it. What meetings took place between Ministers and Yorkshire Water throughout last year? What ultimatums were given and when by any Minister and especially by the Minister for Local Government, Housing and Urban Regeneration whose bulging postbag on this issue must have been a great embarrassment to him? What pressure was brought to bear by Tory Members in Yorkshire's marginal constituencies who saw their chance of re-election draining away like the water supply? What discussions have taken place between Ministers and the regulator about whether they should participate in the public inquiry?

I believe that neither Ministers nor Ian Byatt dare to face the public. The regulator will not make his letters and his actions public because they endorse his failure as a regulator. The problems were not of one summer—they are long standing—nor do they relate to one poor company. The Ministers and the regulator must answer in public how they will stop the rampant profiteering in this industry. It is for them to say what they will do to make regulation of this public service—a much better description than utility—work for customers, not for companies.

I wish Kevin Bond and his new team at Yorkshire Water well. He has started this job today. I am pleased that he comes from the environmental side of the industry, because he well understands the interface between the different elements of the industry: water, drainage and sewerage. I do not want this debate to add to the significant job that he has started today.

I believe that the Government have missed a huge opportunity over this two-week inquiry. By hiding from public scrutiny on the appalling record of events in Yorkshire, they have added one more episode to the catalogue of disasters from which they seek to evade all responsibility—from the Scott report, to the recent bovine spongiform encephalopathy scare, to the death of children for whom no intensive care beds can be found and to chaos in our prison system—the failure to deliver a proper water supply for the people of Yorkshire last year.

10.37 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. James Clappison): The issue of water supply in Yorkshire is of concern to the public in Yorkshire and it will assist hon. Members if I outline a brief factual account of the background to this. Rainfall across the Yorkshire region between April and October 1995 was only 59 per cent. of the long-term average; rainfall in the west of Yorkshire, where Yorkshire Water's reservoirs are situated, was even lower, at between 46 per cent. and 52 per cent. of the long-term average; and approximately half the company's water resources are obtained from these reservoirs.

Rainfall continues to be disappointingly low. Following nine months of rainfall at or below 50 per cent. of long-term average for west Yorkshire, January was again 50 per cent. of average; February was just above average; and, so far in March, it is about 58 per cent. of average—with less than 50 per cent. of average in Calderdale and Kirklees.

In the autumn of 1995, Yorkshire Water drew up plans to secure water supplies through the winter of 1995 and the summer of 1996. These plans were set against the possibility of the winter being as dry as ever recorded and a repeat of the exceptional conditions last summer. The company has identified a possible daily shortfall of some 132 million litres.

Mrs. Helen Jackson: I am sure that the Minister recognises that the proposals to establish a better grid to move water around the county was in existence two years before the summer of last year.

Mr. Clappison: I am setting out the company's plans in response to those conditions that I have described. It

[Mr. Clappison]

has devised 18 schemes capable of delivering in total an extra 137 million litres per day. These schemes involve the construction of over 100 km of large diameter pipework and seven associated pumping stations in two main phases. One phase is due for completion about now and the other by May. One of these pipelines will connect Eccup reservoir, north of Leeds, with Bradford, Calderdale, Wakefield and Kirklees. The other will run from Selby to Leeds, Wakefield, Huddersfield and Calderdale. The cost is some £100 million.

These schemes are also based on further drought orders and time-limited variations to existing abstraction licences on the rivers Derwent, Ure, Wharfe and Ouse. The Environment Agency is considering the licence variations. Drought order applications have been handled expeditiously by my Department. There are currently 11 drought orders extant in the Yorkshire Water area and one application is under consideration. Another drought order application, concerning the River Derwent, is still the subject of discussion between the company, the Environment Agency and English Nature in view of the particular environmental issues involved. My Department will proceed with its consideration when the company indicates that it is ready to proceed.

Even with the severe conditions considered in its recent planning, Yorkshire Water has expressed confidence that, with the new schemes in place, there will be no need for water tankering or water rationing in 1996. I hope that that is of interest to Yorkshire consumers. The company states, however, that it will be necessary to maintain a hosepipe ban.

The company is presently engaged in a £12 million pilot leakage reduction programme in west Yorkshire to find the most cost-effective long-term solution. This is in addition to the enhanced leakage control programme that the company ran throughout 1995. We note that the Environment Agency intends to agree economic targets for leakage reduction with Yorkshire Water within the next few months for Leeds, Bradford, Calderdale and Wakefield. The company has also recently announced environmental and engineering studies of the option of transferring water from the River Tees, which is supported in part by the Kielder reservoir, into Yorkshire. That is part of its medium to long-term water resource planning.

Mrs. Helen Jackson: Will the Minister give way?

Mr. Clappison: Briefly.

Mrs. Jackson: In the light of today's announcement, will the Minister confirm that the transfer of water from Kielder reservoir to Yorkshire can operate whether or not the rules that were introduced today are in place?

Mr. Clappison: This is part of the company's long-term planning. I hope that I have set out clearly for the hon. Lady the short and medium-term measures that it is taking against a background of assumptions about the situation this year.

On Government monitoring, since last September, my right hon. Friend the Secretary of State has commissioned a series of reports from the National Rivers Authority on the developing water resources situation throughout England and Wales. The third report considered the position as at 31 January 1996 and again drew attention to the difficult situation in west Yorkshire. I can assure the hon. Lady that they certainly have taken an interest in what is taking place in Yorkshire. A fourth report, which will be published in late April by the Environment Agency, will consider the situation as at 31 March and the contingency arrangements to maintain supplies in the event of a dry summer.

Ministers and senior officials have kept in close contact with the management of Yorkshire Water throughout the drought, from the early part of July 1995, when it became clear that there might be a problem. Indeed, my right hon. Friend the Secretary of State is meeting the chairman of Yorkshire Water tomorrow to hear from him the very latest position.

In common with all water companies, Yorkshire Water has a statutory duty to maintain water supplies, and we expect it to take all measures necessary to do that.

The hon. Lady referred to the independent commission of inquiry into water supply, which was announced at the beginning of February 1996. It is a private inquiry, commissioned and funded by Yorkshire Water. The commission's chairman, Professor John Uff, has publicly stated the complete independence of the inquiry and that Yorkshire Water is no more than one interested party in the proceedings. Yorkshire Water has stated that it will consider the inquiry's report, when it is published, to determine how it should influence the company's planning for water supply in the future.

My Department has made plain our willingness to help guide the inquiry to published information that may be relevant to its deliberations, but we have not received an invitation to submit evidence. Professor Uff has indicated that he is fully content with that position. Contrary to recent press reports, we understand that no criticism of the Department has been made in the inquiry sessions. I understand that the inquiry sessions will conclude this week.

The Director General of the Office of Water Services decided in November 1995 to carry out his own inquiry into various aspects of Yorkshire Water's performance of its statutory functions, including those relating to water supply. He has powers of enforcement that may be exercised as appropriate following his own investigations. The director general therefore considers that it would not be right for him to be seen to participate in an inquiry commissioned by the company while his own investigations continue. He has written to the inquiry chairman with this explanation of his position in relation to the inquiry. We are aware of the criticisms of Yorkshire Water's actions made by the NRA in its evidence to the independent inquiry. It will now be for the Environment Agency, irrespective of the outcome of the independent inquiry, to make use of statutory powers as it thinks fit to remedy any deficiencies. We note that the Environment Agency may seek to enter into a formal agreement with Yorkshire Water under section 20 of the Water Resources Act 1991 concerning the company's management of the Yorkshire grid. Such an arrangement would have to be lodged with the Secretary of State and would be enforceable by him. We shall await receipt of such agreements as and when they are developed.

As the hon. Lady is well aware, my right hon. Friend the Secretary of State announced on 1 September 1995 a review of water resources and supply arrangements in

England and Wales as a whole in the longer term. This is being conducted with the Office of Water Services, the Environment Agency, the water industry and others. A report on the outcome can be expected within the next four months. The outcome of the independent inquiry into water supply in Yorkshire is a matter for the company that commissioned it, and its shareholders and customers. We shall study its findings with interest in relation to our own work.

As the hon. Lady said, we issued a consultation paper today on extending competition and customer choice in water and sewerage services. It is an evolutionary approach, beginning with large users. We hope that, in the long term, it may be possible to extend the benefits of competition to the majority of water customers, both in Yorkshire and elsewhere.

It must be accepted that rainfall in Yorkshire has been exceptionally low, and that no amount of rhetoric or hindsight can alter the basic truth that the provision of water supplies depends fundamentally on rainfall. What matters now is that action is taken to secure supplies for the future in the event of further exceptional conditions. Normal supplies have been maintained so far, and it is important that that should remain the case.

Question put and agreed to.

Adjourned accordingly at fifteen minutes to Eleven o'clock.

House of Commons

Tuesday 2 April 1996

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

DEFENCE

West Indies Guard Ship

2. **Mr. David Shaw:** To ask the Secretary of State for Defence what contribution the Royal Navy's West Indies guard ship has made to the joint UK/US/Dutch anti-drug patrol. [22306]

The Minister of State for the Armed Forces (Mr. Nicholas Soames): The Royal Navy West Indies guard ship makes a formidable contribution to the international efforts to combat drug trafficking in the Caribbean.

Mr. Shaw: Is my hon. Friend aware that just over 51 years ago Dover was in the front line of the fight against an evil dictator? Now we find ourselves in the front line against evil drugs barons. Will my hon. Friend assure me that the Royal Navy will do everything possible to protect children in our schools because many local parents are worried about access to drugs in ever increasing quantities? Will he assure the House that the Royal Navy will make war on the drug barons if necessary and take every necessary action to stop the evil trade?

Mr. Soames: I am very grateful to my hon. Friend because he is plainly quite right to highlight the anxiety of his constituents—and indeed all our constituents—about drugs in the United Kingdom. It is perfectly true that, with its West Indies guard ship, the Royal Navy has played an extraordinarily prominent role in fighting the evil of the drugs trade. Since December, the current West Indies guard ship, HMS Brave, has made three major drugs seizures of a combined street value of more than £125 million. In addition, my hon. Friend will be pleased to hear that a helicopter has identified a number of drug plantations ashore for destruction by the civil authorities. I hope that he and his constituents will be pleased with that answer. He has my assurance that the Royal Navy will do whatever it can to play its part in the war against that wicked trade.

Mr. Campbell-Savours: Although I recognise the relevance of the suggestions made by the hon. Member for Dover (Mr. Shaw), would he not be far wiser to support Opposition Members who have repeatedly argued for the retention of customs officers, instead of backing Government cuts in the Customs and Excise service, which have a direct bearing on Dover?

Mr. Soames: My hon. Friend the Member for Dover (Mr. Shaw) informs me that there have been no cuts in the number of customs officers in Dover, so I think that the hon. Gentleman is wide of the mark. I repeat that all those organisations have an important role to play in the terrible trade. All I can account for at the Dispatch Box is the actions of the Royal Navy, which will continue to play a very prominent, extremely successful and important role.

Peacekeeping (RAF)

3. **Mr. Spring:** To ask the Secretary of State for Defence what role the RAF is playing in peacekeeping operations around the world. [22307]

Mr. Soames: I should like to pay tribute to the exceptional role that the Royal Air Force has played and is playing in peacekeeping operations around the world. Important examples include the vital support provided to the implementation force in Bosnia and to the enforcement of no-fly zones over northern and southern Iraq in support of United Nations Security Council resolution 688.

Mr. Spring: Will my hon. Friend join me in paying tribute to the RAF for its role in transportation and supply in peacekeeping operations in Bosnia, Angola and Rwanda? Will he also join me in paying tribute to the vast range of unsung activities undertaken by the RAF, which certainly illustrate that it is the finest air force in the world?

Mr. Soames: I am very grateful to my hon. Friend and pleased once again to have the opportunity to pay tribute to the RAF's work, which, as he says, so often goes unnoticed. As a matter of fact, between 3 July 1992, for example, and 9 January this year, the RAF flew 1,977 sorties, delivering 27,000 tonnes of aid to the beleaguered city of Sarajevo—the longest lasting humanitarian airlift in history.

At the same time, Harriers are flying close support missions in the NATO-led implementation force in Bosnia, and Chinooks are providing lift based at Split. In Iraq, Tornados are doing an important job in the no-fly zone. The whole House will wish to pay tribute to the extremely important efforts of what is—as my hon. Friend rightly said—the finest air force in the world.

Mr. Foulkes: Is the Minister aware that Opposition Members are also appreciative of the peacekeeping work undertaken by the RAF? Does he recall that in December last year his noble Friend Earl Howe, the Under-Secretary of State, promised some of my hon. Friends and me that he would review the burden of low flying in the south-west of Scotland and the rest of the borders tactical training area? Did not that burden increase in the past year, whereas low flying decreased in other parts of the United Kingdom? Will he carry forward the examination of the study and tell us when some of the pressure of low flying in south-west Scotland will be relieved?

Mr. Soames: The hon. Gentleman never fails to take the opportunity—even on the most inappropriate

occasion—to raise the subject of low flying. Low flying has a limited operational capability in peacekeeping, but I hear what he says and will report it to my noble Friend.

Former Yugoslavia

6. **Mr. Gapes:** To ask the Secretary of State for Defence if he will make a statement on plans for the phased withdrawal of British troops from IFOR; and if Her Majesty's Government plan to keep any British forces in former Yugoslavia after 31 December. [22310]

The Secretary of State for Defence (Mr. Michael Portillo): Under the terms of the Dayton peace agreement, and UN Security Council resolution 1031, IFOR's mandate expires at the end of the year. The British contingent to IFOR will withdraw along with other IFOR forces. Planning the withdrawal is a matter for NATO; the United Kingdom is participating fully in this process.

Mr. Gapes: I am grateful to the Secretary of State for clarifying that. Can he assure us that, this time next year, British forces in former Yugoslavia will not be trying to hold the ring in a possible three-way conflict in a resumed civil war while the United States has cut and run, and pulled out to arm one side in that conflict?

Mr. Portillo: I have said repeatedly that NATO has deployed together, is working together and will withdraw together. The hon. Gentleman has advocated the withdrawal of British troops for a long time. I well understand his reasons, but I believe that the performance of British forces in Bosnia under the UN and NATO has done a great deal to save lives and has brought enormous credit to our forces.

Mr. Colvin: Can my right hon. Friend confirm that when the time comes for our troops to come back from former Yugoslavia, they can do so without having to wait to thumb a lift from our United States allies? Does he recall that that was necessary when the troops were deployed to Yugoslavia? Can he confirm or deny two recent reports in the press—first, that the French have withdrawn from the future large aircraft project, and secondly, that the MOD is procuring ro-ro liners to supplement the Royal Fleet Auxiliary?

Mr. Portillo: On the last point, during the formation of the joint rapid deployment force—to which I would have referred had I been asked Question 4—we have seen the need to acquire roll-on, roll-off craft to transport heavy equipment. The future large aircraft is not at present being funded by the French Government, and we are seeking clarification of their position. As far as transporting our soldiers back from Bosnia is concerned, I do not approach this on a nationalistic basis. It is a NATO operation, and we should use those elements of transport that provide the best value for money and the best security for our returning soldiers.

Mr. Spellar: Does the Secretary of State think that after their tremendous work in IFOR, our troops will be impressed to find on their return that their homes are being sold from under them and that their rents are being jacked up by 10 to 25 per cent. to pay for the exercise? Will he finally now recognise that the sale of the married quarters estate is dictated by dogma—

Madam Speaker: Order. The issue of the married quarters estate is far away from the issue of IFOR. Members must relate supplementary questions to the substantive question. It is very important that the hon. Gentleman follows the substantive question on the Order Paper. If he can do that, it is fine. If he cannot, I shall move on.

Mr. Spellar: Will the Secretary of State, even at this stage, stop the ill-thought-out sell-out of service houses before the troops return from Bosnia—

Madam Speaker: Order. That question has no relationship to IFOR.

Sir Patrick Cormack: Does my right hon. Friend accept that there is universal admiration for the way in which our forces are working in Bosnia and for the co-operation of all the NATO forces? Will he assure the House that the success of their operation will not be jeopardised by too rigid an adherence to timetables?

Mr. Portillo: I recognise, as my hon. Friend says, that there is universal acclaim for the work that the forces are doing. That acclaim is not confined to one side of the House. Quite properly, the whole nation is joined in admiration for their work.

It is important that the former warring factions should recognise that NATO has set itself a deadline, that the NATO operation can be completed in that period and that civilian reconstruction and the putting in place of the institutions of a normally functioning state can all be done in that time. It must be recognised that at some point, we shall rely on the people of Bosnia and Herzegovina to construct a lasting peace; they cannot rely for ever on the outside world to impose it. Although I recognise the point underlying my hon. Friend's question, I underline that message to the former warring factions.

Jobs

8. **Mr. Batiste:** To ask the Secretary of State for Defence how many jobs are provided in the United Kingdom by the defence industry. [22312]

The Minister of State for Defence Procurement (Mr. James Arbuthnot): The most recent figures available are for 1993-94, when an estimated 395,000 UK jobs depended on defence expenditure. About 80 per cent. of these—315,000—were sustained by my Department's spending, on both equipment and non-equipment items; the other 20 per cent.—80,000—depended on defence exports.

Mr. Batiste: Has my hon. Friend had a communication from Bill Morris, the leader of the Transport and General Workers Union, which sponsors the Leader of the Opposition and the shadow Chancellor and which—[HON. MEMBERS: "Withdraw."]—and which at its conference called for an £18 billion cut in Government defence spending? Can my hon. Friend confirm that if such a cut

were made, not only would there be no defence procurement budget, but there would be no armed forces at all?

Mr. Arbuthnot: My right hon. Friend the Secretary of State has, indeed, had such a letter, which has caused us some surprise. The proposal would reduce the level of our defence forces to some sort of volunteer militia. It would mean that we were spending £122 per head on our armed forces, which is less than half the amount spent in Luxembourg. We were surprised to receive the letter. The fact that the right hon. Member for Sedgefield (Mr. Blair) is sponsored by the trade union that put the proposal forward—[HON. MEMBERS: "No."] Perhaps the union has abandoned his sponsorship. The fact that the right hon. Gentleman is sponsored by the Transport and General Workers Union suggests that the proposal is firm Labour party policy.

Mr. Barry Jones: Will the Minister safeguard jobs and create more in the defence industry by going forward with the future large aircraft project? What is the status of the project now that the French have indicated that they may not go forward? Will he receive my deputation in his office later this month to discuss the project? Does he know that my constituents wish to make the wings of the future large airbus and that they have a very good track record in making the wings of the airbus itself?

Mr. Arbuthnot: The hon. Gentleman will have heard what my right hon. Friend the Secretary of State said about the future large aircraft. The fact that France has withdrawn funding for its development phase throws the project into some jeopardy. As always, I should be delighted to receive a deputation from the hon. Gentleman—I have received more deputations from him than from any other hon. Member.

Mr. Atkins: Does my hon. Friend recognise the importance of Saudi Arabian exports to our defence industry? Does he think it helpful to British trade abroad and major contracts, such as those with which British Aerospace and others that employ many thousands of my constituents and those of other hon. Members, are involved, when programmes such as "Panorama" are made, which merely make life difficult for people who are trying to do business in the interests of the British economy and British jobs?

Mr. Arbuthnot: My right hon. Friend is right. Saudi Arabia has been and remains a very close friend of this country and we should bear that in mind in all that we do. We should recognise the importance of the defence industry for jobs, industry and the strength of our exports.

Mr. Charles Kennedy: Does the Minister acknowledge the paramount importance to Scotland of Rosyth in terms of defence and defence-related employment? Given the coverage in the Scottish media today about the likely decision to use Devonport for Trident refitting, will he comment on the great concern that is being expressed in Scotland, not least the view of local trade unions that the decision that the MOD appears to have taken will cost the taxpayer £100 million more? Is that the case and does he recognise that the feeling that there has been a sell-out in Scotland is running high?

Mr. Arbuthnot: I shall be announcing, in answer to a written question later this afternoon, that we have decided to place the nuclear refitting at Devonport, but that decision was announced initially in 1993. The comparison between the comparator prices that were put forward in 1993 and today is not a real one because different levels of risk and other matters were included in the prices. I confirm that Rosyth will benefit from the allocation of a large proportion of work share in refitting ships, including aircraft carriers. That will be valuable for Rosyth in particular and for Scotland in general.

Mrs. Ann Winterton: Is my hon. Friend aware how important our defence industries are to employment, investment and manufacturing capacity, not least at Royal Ordnance at Radway Green in my constituency? In awarding the contract for 81 mm mortars shortly, will he bear it in mind that some competing countries do not open their tendering systems to Royal Ordnance? Is he aware of the success in gaining orders in overseas markets against tough competition which has reduced the costs of production to the MOD? For those and many other reasons, will my hon. Friend undertake to think British and buy British?

Mr. Arbuthnot: Perhaps I was unfair to my hon. Friend in saying that I had had more deputations from the hon. Member for Alyn and Deeside (Mr. Jones) than from any other hon. Member because she has been assiduous in backing her constituents on this matter as on others. I cannot say that we will always buy British. We will buy what gives us best value for money. About 90 per cent. of our money is spent on buying British weapons—not because we go out of our way to buy British, but because British industry produces the best weapons. That is partly because of the strength of British industry and partly because the MOD has insisted on value for money and competition. That has done much to strengthen British industry and make it the success that it is.

Dr. David Clark: The Minister's reckless attacks on the Labour party's defence policies show how bankrupt of ideas the Government have become. He knows full well that the Transport and General Workers Union policy is not the policy of the Labour party. At our party conference, we specifically rejected such a move or such cuts.

I have a specific question about the defence workers in the royal dockyards. Will the Minister give the House a categorical assurance that no moneys from the dock workers' pension funds will be used in the privatisation of the royal dockyards?

Mr. Arbuthnot: So it is not the policy of the Labour party. When was it then, that the right hon. Member for Sedgefield signed an advertisement calling for the banning of nuclear weapons from British territory? When was it that, six years in a row, the Labour party passed a resolution demanding that this country reduce spending to the European average? I find it incredible that the hon. Gentleman, who himself calls for a defence diversification agency, thinks that we misrepresent the Labour party's policy. The idea of a defence diversification agency suggests that the Labour party feels that it is better able to tell industry what to do than industry itself. Labour Members, instead of being failed university lecturers,

would become failed people trying to stick their fingers into industry. It would not work and it will not work, and they will be rejected.

Mr. Bill Walker: Does my hon. Friend agree that one of the reasons why we have so many jobs in the defence industry is that the United Kingdom armed forces are not only extensively involved in peacekeeping operations but are training constantly for high-intensity situations, such as proper wars? [*Laughter.*] There is a big difference, and those who have been involved in proper wars know that difference. Will my hon. Friend confirm that such training includes low flying, which is an essential part of high-intensity operations, and that many of the jobs at Prestwick depend on such operations?

Mr. Arbuthnot: My hon. Friend is correct; with his experience of flying, that is the least that I would expect of him. It is true that our armed forces provide much support to the industry of this country. One thing that we comment on too little in the House is the quality and support provided by the Red Arrows. What they have done in support of British policy and the British image abroad is nothing short of fantastic. We should praise them more often, and I do so now.

Land Mines

9. **Mr. Jim Cunningham:** To ask the Secretary of State for Defence what research his Department has conducted into the failure rates of self–destruct land mines. [22314]

Mr. Arbuthnot: My Department carried out a study of the reliability of timers associated with self-destruct mechanisms for mines in November 1995.

Mr. Cunningham: Is the Minister aware that from Vietnam to Bosnia many innocent people have been maimed or killed by such mines? When will he agree with the Labour party and introduce a ban on their export? Is he further aware that in Coventry on Saturday many Church leaders of all denominations were collecting signatures for a petition to the Minister to introduce such a ban?

Mr. Arbuthnot: The hon. Gentleman is right about the hazard that anti-personnel mines pose to civilians, and that is a matter that greatly concerns the Government. That is why we are playing a leading role in the United Nations weapons convention to ensure that anti-personnel mines will in future incorporate devices to ensure that they self-destruct and are detectable. We believe that that proposal is likely to come into effect and be enforceable. We do not want to make pious requests that we know will not be acted upon; we want to achieve a genuine increase in safety for civilians, and that is what we are fighting for.

Mr. Robathan: My hon. Friend will know that the United Kingdom has an honourable record in its dealings with anti-personnel mines, and I am sure that he will speak about that. It is unfortunate that some Opposition Members use the issue as a stick with which to beat the Government. However, will my hon. Friend acknowledge that, if it were possible, a complete ban on the manufacture of anti-personnel mines would be welcome? Will he work through the United Nations and try to foster such a ban, because many Members on both sides of the House would welcome one?

Mr. Arbuthnot: My hon. Friend correctly used the phrase "if it were possible". We know that several countries would simply not agree to a complete ban on anti-personnel mines. We want to avoid a situation in which some countries agree to banning anti-personnel mines and some countries do not so that many anti-personnel mines are still lying around and posing a danger to civilians. We recognise that there are severe dangers to civilians, which is why we are going for a ban on mines that do not self-destruct and that cannot be detected. We think that such a ban is very important, and that is what we are aiming for.

Dr. David Clark: Does not the Minister follow the logic of his case that some countries will not accept only self-destruct mines? Further, does he not appreciate that there is much dispute about the failure rate of self-destruct anti-personnel mines? Will he join the Labour party—*[Interruption.]*—in supporting a call for a ban on the import, export and transfer of all anti-personnel mines, self-destruct or otherwise, and their component parts?

Mr. Arbuthnot: I shall not join the Labour party, Madam Speaker. We believe that a failure rate that is better than one in 1,000 is achievable. We have recently acquired some mines that have been investigated by the United States army, which has suggested that the risk of those mines posing any danger after 200 days is less than one in a million. So the chances of those mines becoming a danger to civilians have been very much reduced.

I do not agree with the Labour party's policy. It is important to produce an arrangement on which all countries can agree. We are working towards that end, and I hope that the hon. Gentleman will do so as well.

Procurement Budget

10. **Mrs. Lait:** To ask the Secretary of State for Defence what percentage of the defence procurement budget is spent on equipment designed to military specification; and what scope there is to reduce this percentage. [22315]

Mr. Arbuthnot: To deliver the battle-winning equipment our forces need in demanding environments we have to prescribe certain military standards and specifications in our contracts. We aim to make maximum use of civil standards.

Mrs. Lait: Is my hon. Friend aware that many commercial specifications are now more reliable and are available at less cost than are military specifications? Is he further aware that the US Secretary of Defence recently issued a directive instructing US forces to use commercial specifications whenever possible? When will we follow in those footsteps?

Mr. Arbuthnot: My hon. Friend is right. The US has about 31,000 military specifications, and it is working to reduce that number. However, we have made significant strides in that direction ourselves, and we have fewer than 2,000 military specifications. We are working to reduce

the number of our military specifications, and we are doing so at a higher rate than the United States. My hon. Friend is right that we want to rely heavily on civil and commercial standards whenever possible.

Mr. Jamieson: Is the Minister aware that much of the defence procurement budget is spent in my constituency on repairing vital military equipment? So when he makes his statement today about the award of the Trident contract, will he also make a statement about the privatisation of Devonport dockyard and end the deeply damaging delay?

Mr. Arbuthnot: Yes.

Defence Spending

11. **Mr. Butler:** To ask the Secretary of State for Defence what assessment he has made of the effect on existing military capability of reducing United Kingdom defence spending to the European average. [22316]

Mr. Arbuthnot: Reducing defence spending to the current NATO European average would involve cuts of more than £4.5 billion per year, which is about half of our entire procurement budget. That would clearly have a devastating effect on the capability of our armed forces.

Mr. Butler: This is clearly a very serious situation. Is the Minister telling the House that if such cuts were to be made—which, in the absence of any subsequent declaration from it, I understand to be Labour party policy—we would not be able to carry out either our international commitments or the defence of the realm?

Mr. Arbuthnot: Well, yes, but it is worse than that because of the letter that we have received from the Transport and General Workers Union—[HON. MEMBERS: "Ah!"]—about which the Labour party seems to be rather uncomfortable. That letter echoes Labour party policy that has been passed at party conference, after party conference, after party conference. It means that we must consider the precise effect of cutting £18,000 million from our defence spending. Even if we simply reduced our level of spending to the European average—at least 42 Labour Members have signed a motion calling for that, and we know that that is the fundamental view of most of the Opposition—the programmes on the attack helicopter, the European fighter and the future frigate would be put in jeopardy. If we followed the policy set out by the TGWU, we would, as I have already said, be reduced to acting like traffic wardens.

Mr. Skinner: May I just remind the Minister of what I have told him before—it is getting very wearisome—that the Labour party conference passes resolutions to cut defence expenditure and the Tory Government carry them out?

Mr. Arbuthnot: The fact remains that the hon. Gentleman agrees with the demands of the Labour party conference to cut defence expenditure. He probably agrees with the TGWU that defence expenditure should be cut by £18 billion, because he does not believe in defence. In that respect, he is representative of the Labour party because one cannot trust Labour on defence.

Mr. Key: If we were to cut defence spending to the European average, would there be a severe cut in the number of jobs in the civilian support industries, such as the Defence Evaluation and Research Agency? That prospect would be far more frightening to the agency and its work force in my constituency than any proposal for possible privatisation, which could establish it as a world leader.

Mr. Arbuthnot: Yes. We would probably have to get rid of all research on defence and as a result we would have to buy equipment off the shelf. We would have to do that at the cheapest possible cost, which would almost certainly mean buying equipment from the United States of America—in fact, all our equipment would have to come from abroad. That would mean that the benefits to the defence industry from exports would be lost. In 1994, we won 15 per cent. of the world defence export market, but that was not good enough, because in 1995 that figure went up to 19 per cent. That success shows the strength of British industry today, and that strength would be lost if we were to cut spending on defence as the Labour party advocates.

Land Mines

12. **Mr. Touhig:** To ask the Secretary of State for Defence what is his Department's estimate of the number of anti–personnel land mines in Bosnia. [22317]

Mr. Soames: IFOR estimates that up to 5 million land mines, including anti-personnel mines, may have been laid in Bosnia.

Mr. Touhig: Given the appalling risks that face our troops in Bosnia as a result of the indiscriminate use of millions of land mines, is the Minister aware that General Shalikashvili, the chairman of American joint chiefs of staff, has said that he is inclined to eliminate all anti-personnel mines? Does the hon. Gentleman share his view?

Mr. Soames: My hon. Friend the Minister of State for Defence Procurement made the view of the Government plain just now, but it is worth drawing to the attention of the House that such mines are a serious matter and that our troops are in some danger from them. The House should know that members of the Royal Engineers, greatly to their credit, have played an extraordinary, gallant and successful role in helping to de-mine Bosnia. They have played an important role in teaching about mine awareness in schools. Where it is able to do so, all of IFOR makes a vital contribution towards trying to return Bosnia to some form of normality.

Mr. Brazier: As well as the excellent measures that my hon. Friend has just outlined, can he also confirm that our noble Friend Lady Chalker set aside money last year to assist programmes for mine clearance in a number of countries, including Bosnia? Does my hon. Friend also agree that we could contribute towards the long-term curbing of the dreadful problem in Bosnia and elsewhere by promoting research into more revolutionary methods to detect and clear mines, because we are still basically working with war time technologies?

Mr. Soames: My hon. Friend has made an important and valid point. I confirm that my noble Friend Baroness Chalker has laid aside such money. I warmly endorse and agree with his suggestion about research into land mines, and he can rest assured that we are playing a leading role in trying to bring this forward. He, with his expertise, has a valued role in keeping us up to the mark, and we shall be grateful to hear from him if he has any other ideas to this end.

Mrs. Mahon: Is it not obscene to carry on supporting the manufacture of land mines when the Overseas Development Administration spends millions of pounds on land mine clearance and in helping amputees? Do the Minister and the Government feel any shame whatsoever when they see the limbless victims of this dreadful policy?

Mr. Soames: The hon. Lady almost certainly is not aware that anti-personnel mines have not been exported from this country for many years. The United Kingdom, like many other countries, considers mines, including anti-personnel mines, to be legitimate defence weapons when used responsibly and in accordance with the laws of war. Our armed forces have and need these weapons—without them, they would be less effective. It is plain that the hon. Lady is right: it is not something that we wish to prolong for any longer than we need to do so. We are working, together with everyone else, to try to bring an end to this regime—but we will not do so unilaterally.

Maritime Patrol Aircraft

13. **Mr. Nicholas Winterton:** To ask the Secretary of State for Defence if he will make a statement on the procurement of replacement maritime patrol aircraft. [22318]

Mr. Arbuthnot: We are currently assessing bids for a replacement for the RAF's maritime patrol aircraft and we expect to award a contract in the late summer.

Mr. Winterton: Does my hon. Friend accept that only the Orion 2000 team is putting forward a brand new aircraft as part of its package? Will he also accept that the majority of the goods, products and services purchased with this particular project will come from the United Kingdom, including the majority of the technology from GEC Marconi and Hunting Aviation, which will do a great deal of the work, manufacture and assembly—and which includes the important firm of Baxter, Woodhouse and Taylor from Poynton in my constituency, which employs almost 400 people? Will he ensure that Britain gets value for money not only in respect of technology but in respect of employment and manufacturing?

Mr. Arbuthnot: I have wronged my hon. Friend—he, too, is assiduous in fighting for his constituency interests, always has been and always will be. I do not want to anticipate the competition that we are running at the moment. I am delighted to say that there is a high United Kingdom content in all three of the aircraft that we are being offered for the replacement maritime patrol aircraft. I had the great benefit of going out with a Nimrod aircraft last week and seeing some of the excellent work that the maritime patrols do, both in anti-submarine warfare and in the search and rescue operations in the area of RAF Kinloss. That is a valuable team, which will continue to do very good work for the RAF and for the country.

Rev. Martin Smyth: The Minister has referred to Nimrod. Does he accept that the refurbishing of Nimrod, as proposed by British Aerospace and Short Bombadier, would be a better bid than the Orion?

Mr. Arbuthnot: Again, I do not wish to anticipate the competition—however, it is delightful to see the battle fought out on the Floor of the House.

Mr. Mans: Does my hon. Friend agree that what is most important is that the RAF gets the aircraft it wants, within the confines of the expenditure necessary to do so? In this context, will he ensure that, in relation to the aircraft that he picks, the full-life costs will be taken into account as well as the initial purchasing price?

Mr. Arbuthnot: My hon. Friend is right to attach importance to the full-life costs of the aircraft. We shall take into account all the factors that we usually take into account in considering this competition. I am pleased to say that the Royal Air Force has been very closely consulted about this procurement, so I am grateful to my hon. Friend for his extremely helpful remarks.

Public Funds

14. **Mrs. Clwyd:** To ask the Secretary of State for Defence what criteria his Department uses to judge whether it provides value for public funds; and what assessment he has made of the extent to which his Department meets these. [22319]

Mr. Arbuthnot: My Department judges expenditure proposals in terms of their cost-effectiveness in contributing to defence objectives, using techniques such as investment appraisal and operational analysis. We are determined to achieve the best value for the taxpayer's money allocated to defence.

Mrs. Clwyd: Is it really good value for money to continue to employ the Ministry of Defence police in investigating Martin Gregory, the producer of the "Dispatches" programme on instruments of torture, to whom the Department of Trade and Industry has already paid out £55,000 in libel damages? Would it not be better if the MOD police were to investigate the role of the British Government and British firms in exporting instruments of torture to despicable regimes?

Mr. Arbuthnot: No. I will write to the hon. Lady about the first matter, but it would not be right to accept the second matter.

PRIME MINISTER

Engagements

Q1. **Mr. Cohen:** To ask the Prime Minister if he will list his official engagements for Tuesday 2 April. [22335]

The Prime Minister (Mr. John Major): This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Mr. Cohen: Will the Prime Minister confirm that a typical person made redundant has to face a 20 per cent. pay cut in order to find a new job? As more than 10 million people have experienced unemployment under the present Government, that is an awful lot of pay cuts and job insecurity. Will the Prime Minister publish the truth in his manifesto—that Conservatives make things worse for working men and women?

The Prime Minister: The hon. Gentleman overlooks the extent to which unemployment has fallen in this country—faster than in any comparable European country. It is down by more than a quarter on its peak some time ago. The hon. Gentleman should bear it in mind that in western Europe we all operate in the same economic climate. More people are getting back into work, more people are in work and there is a lower level of unemployment in this country than in any comparable European country.

Sir Jim Spicer: Did my right hon. Friend by any chance see "On the Record" on Sunday, when education was discussed and we were treated to the sight of a Liberal councillor from Kingston who spoke out very strongly against any selective education, but who sends her daughter to a grammar school? Does my right hon. Friend agree that that is the true working of a Lib-Lab pact?

The Prime Minister: At the risk of causing enormous offence to an important television programme, I confess to the House that I did not watch "On the Record" on Sunday or the Sunday before, and I suspect that I shall not watch it next Sunday. I notice nods of agreement from the Opposition. We seem to have a cross-party consensus on that point. Nevertheless, I can certainly appreciate what my hon. Friend says, and I doubt that that is an isolated incident.

Mr. Blair: Does the Prime Minister recall, in the days when he was flatly against a referendum on Europe, saying that referendums were introduced only to cover up divisions in the Cabinet and none such existed in his Cabinet? Are not those divisions precisely the reason why he is in favour of a referendum today?

The Prime Minister: I am surprised that the right hon. Gentleman should say that when he has just announced a referendum to sort out internal difficulties in his party about his policy. I have said that I will contemplate a referendum on a particular issue of policy that has never occurred before. The right hon. Gentleman intends to ballot all his party members about Labour policy—which is a novel proposition: I am not entirely sure how one can ballot people about something that does not exist.

Mr. Blair: I suspect that I shall have rather more support for my referendum than the Cabinet will give the right hon. Gentleman's. Why cannot the Prime Minister answer now the question that he was able to answer a few months ago? Has the Chancellor changed his mind—a nod or a shake of the head will do? We have paralysis in the Government—even the big man of the Cabinet cannot get his way. Is not the decision being taken only because the Government are weak, divided and are being pushed around by their factions?

The Prime Minister: That was well prepared, but the right hon. Gentleman was too shy to mention that he has changed his policies on Europe, defence, the trade unions and on almost everything else. As for divisions, I have in my hand a paper entitled "Europe Isn't Working". It is produced by 50 Labour Members and it opposes every aspect of European policy that the right hon. Gentleman has in mind.

As to a single currency, the deputy leader of the Labour party—whom we miss today—says, "Yes, we are against a single currency." The right hon. Member for Copeland (Dr. Cunningham)—who is also not here—says that he, personally, is in favour of a single currency. Labour Members of the European Parliament are in favour of a single currency within the time limits and constraints, and the hon. Member for Livingston (Mr. Cook) says that it is irresponsible. The right hon. Gentleman is trying to dance in the midst of those divisions while pretending that there are none. The reality is that his party is as split as it can be on that issue.

Mr. Blair: I have a suggestion for the Prime Minister: why does he not put his Government out of their misery and give the country a referendum on a matter that it really wants to decide—his Government or ours?

The Prime Minister: In order to be kind and generous to the right hon. Gentleman, I am giving him time to find some policies so that he has some basis—other than negative campaigning—upon which to conduct an election.

Mr. Marlow: While our masters in Brussels are deciding how to dispose of the British beef industry, will my right hon. Friend suggest to them that, if they are to slaughter perfectly healthy cattle, the beef would be better used as food aid rather than being incinerated? If people were faced with a one in three chance of dying of starvation or a one in 100 million chance of contracting Creutzfeldt-Jakob disease, surely they would eat the beef.

The Prime Minister: As my hon. Friend intimates, my right hon. and learned Friend the Minister of Agriculture, Fisheries and Food is in Luxembourg today trying to restore public confidence to the beef markets across Europe. He is making good progress and he will keep negotiating until a package of measures is agreed. It is no longer certain whether that will occur today: there is a long way to go in the negotiations and I anticipate that they will continue for many hours yet.

Mr. Ashdown: Does the Prime Minister realise that, as we speak, jobs are being lost and small farms and small firms are going to the wall because of delay and indecision on BSE? Does he acknowledge that he could take some steps without waiting for Brussels? I shall suggest three: first, launch a British standard for quality British beef; secondly, launch a public information campaign to correct misrepresentation and misinformation, which is still widespread and damaging; and, thirdly, get together with the banks and put together a credit guarantee scheme to help small firms and farmers until compensation arrives. I beg the Prime Minister to act now, when he can, rather than stand there wringing his hands and waiting for Brussels to open the door.

The Prime Minister: The right hon. Gentleman's last sentence beggars belief, given his party's policy on the European Union, but I agree with him about the need to do whatever we can to help the beef industry. Nine or 10 measures have been taken already; a number are currently under consideration and more are under discussion in Brussels. The Agriculture Council is considering and discussing the possibility of extending the scope of intervention to deal with short-term confidence problems. That would clearly be of great benefit to many British farmers. We are also considering a package of measures to deal with BSE. We are discussing its funding and a number of other confidence-building measures for the market. The right hon. Gentleman knows that although there are certain things that we can do in Britain, the fundamental decision needs to be a cross-European one, as he himself told the House the other day.

Mr. Robathan: My right hon. Friend will know of the concern of some Conservative Members about recent developments in defence. Therefore, will he study carefully reports of a recent conference which considered defence issues, found a potential peace dividend of some £18 billion and, yet again, voted for unilateral nuclear disarmament? When he discusses the resolutions of the recent Transport and General Workers Union conference, will he recall that that union sponsors not only the shadow Chancellor, but the Leader of the Opposition?

The Prime Minister: I am not sure what proportion of the Labour party's income comes from the Transport and General Workers Union, but it is clearly substantial. If accurately reported, its proposition on cutting defence would effectively leave Britain with no defence at all. I know that the right hon. Gentleman and his colleagues have been planning a defence review. I had not anticipated that it would be quite so draconian, but as half their policy is determined by trade unions, we cannot be certain that that will not prove to be the case if it is the policy of the Transport and General Workers Union.

Q2. **Miss Hoey:** To ask the Prime Minister if he will list his official engagements for Tuesday 2 April. [22336]

The Prime Minister: I refer the hon. Lady to the answer I gave some moments ago.

Miss Hoey: The Prime Minister issued an invitation at the weekend via the national newspapers for a debate with the Leader of the Opposition on national television. Now that my right hon. Friend the Member for Sedgefield (Mr. Blair) has accepted that invitation, would the Prime Minister like to name the day?

The Prime Minister: The hon. Lady says the nicest things. I enjoy my tussles with the right hon. Gentleman on Tuesdays and Thursdays and on other occasions. I was as surprised as the hon. Lady was to read what was reported over the weekend. I recall very well, as a young untried candidate, trying exactly the same trick with an experienced Labour Member of Parliament. I recall that he said to me at the time, "Go and sort out your policies first. Then I shall consider these stupid PR stunts."

Q3. **Mr. Michael Brown:** To ask the Prime Minister if he will list his official engagements for Tuesday 2 April. [22337]

The Prime Minister: I refer my hon. Friend to the answer I gave some moments ago.

Mr. Brown: Notwithstanding the exchanges between the Prime Minister, my hon. Friend the Member for Northampton, North (Mr. Marlow) and the right hon. Member for Yeovil (Mr. Ashdown), is not the answer for the Prime Minister to give the people of the country on the issue of beef, in Easter week, when Grimsby and Cleethorpes holds the biggest fish market of the year, the message that people should consume Grimsby fish? Will my right hon. Friend congratulate Frank Flear, who is behind the new fish docks in Grimsby and Cleethorpes that the Government supported with massive investment, and urge the people of Britain this week to consume Grimsby and Cleethorpes fish?

The Prime Minister: I am happy to invite the nation to eat Grimsby fish, and fish from elsewhere in the British Isles. I hope that, having had their fish, people will spare some time to eat some beef too.

Q4. **Mr. McAllion:** To ask the Prime Minister if he will list his official engagements for Tuesday 2 April. [22338]

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Mr. McAllion: Is the Prime Minister aware that, at the recent national poverty hearings in London, one single mother, registered disabled and dependent on income support, described how she had been forced to place her son in the care of her local authority, because underfunding prevented that authority from meeting his special educational needs in any way except through its residential budget? How does he explain to that family, and to the families of the one in three of today's children born into the same oppressive poverty, the contemptible and odious Tory slogan that "life is better under the Conservatives"? For the poor, it most certainly is not; and for that, the right hon. Gentleman and the party behind him are directly responsible.

The Prime Minister: I know that the hon. Gentleman is honest enough to say that he thinks that his party should put up taxes—I think that he knows that it will. He at least has had the candour to say that in public; it is his idea of the future. He is quite wrong about poverty. In fact, the vast majority of people are better off. Average incomes have risen by more than a third, even after allowing for inflation. The average income of all family types has risen. Pensioner average incomes since the Government came to power are up by about 50 per cent. after inflation. Average incomes of the unemployed and others not in work have also risen. That would not have happened but for the policies, both economic and social, that we have followed.

Royal Victoria Infirmary, Newcastle

3.30 pm

Mr. Jim Cousins (Newcastle upon Tyne, Central): I beg to ask leave to move the Adjournment of the House, under Standing Order No. 20, for the purpose of discussing a specific and important matter that should have urgent consideration, namely,

"the situation at the Royal Victoria Infirmary, Newcastle." *[Interruption.]*

Madam Speaker: Order. Would Members leaving please do so quietly?

Mr. Cousins: I am grateful to you, Madam Speaker, for allowing me to put my case to the House. Late last night I became aware of a police investigation into four suspicious deaths in the adult intensive care ward of the Royal Victoria Infirmary trust in my constituency. The unit serves a wide area of the northern region. It has been known to be under intense work load pressure for several years—pressure which neither the trust nor the regional health authority has dealt with.

The pressure on the children's intensive care unit is worse still. Young people are often referred to the adult unit, thereby adding to the pressure on it; unfortunately, one of the deaths under investigation is that of a very young teenager.

The Minister must come to the House to tell us how he proposes to inquire into the crisis in intensive care beds in the northern region. I hope that he will also tell us how he proposes to inquire into other matters that raise serious doubts about the competence and good judgment of the trust management.

Why, for instance, has it taken four years for one of these suspicious deaths to come to light? This is a major high-tech teaching hospital. Why was it left to the coroner to call in the police? What was the quality of the trust's legal advice? Why did it take five weeks from the initial complaints for the coroner to be called in? Why did it take a fortnight after the internal inquiry had identified four suspicious deaths and sacked a nursing sister for the coroner to be called in?

This smacks of weakness, confusion and cover-up. There are matters here which no police investigation, however thorough, can deal with. The Minister must come to the House and set up an independent public inquiry into the situation at the hospital right now.

I should perhaps add that I have often been a visitor and a patient at the hospital, which has also served my family. I raise the matter not because I want to denigrate the hospital but because I wish to restore its good name and good reputation.

Madam Speaker: I have listened very carefully to what the hon. Member has said. I have to give my decision, of course, without stating any reasons. I am afraid that I do not consider that the matter that he has raised is appropriate for discussion under Standing Order No. 20. I cannot therefore submit the application to the House.

BILL PRESENTED

PREVENTION OF TERRORISM (ADDITIONAL POWERS)

Mr. Secretary Howard, supported by the Prime Minister, Mr. Secretary Heseltine, the Chancellor of the Exchequer, Mr. Secretary Rifkind, Secretary Sir Patrick Mayhew, Secretary Sir George Young, Mr. Secretary Forsyth,

Mr. Secretary Hague and Mr. David Maclean, presented a Bill to extend powers of search in connection with acts of terrorism and terrorist investigations; confer powers on constables in relation to areas on which police cordons are imposed in connection with terrorist investigations; and confer powers in connection with the prevention of acts of terrorism to impose prohibitions and restrictions in relation to vehicles on roads: And the same was read the First time; and ordered to be read a Second time today and to be printed. [Bill 96.]

Freezing of Human Embryos

3.34 pm

Mr. David Amess (Basildon): I beg to move,

That leave be given to bring in a Bill to ban the freezing of human embryos.

The Bill that I am introducing today would have the effect of stopping the practice of freezing human embryos in hospitals and clinics where in vitro fertilisation treatment is provided. My Bill proposes to do this by adding the three words "freezing an embryo" to the list of procedures that cannot be licensed by the Human Fertilisation and Embryology Authority under the Human Fertilisation and Embryology Act 1990.

Medical science is such that practically every week an announcement is made about or there is a report of some new breakthrough which will help any number of people with medical problems. Such announcements, sadly, often give hope to our constituents when the reality is that the report is simply speculation and the procedure being suggested is only at the trial stage.

I well recall the detail of the debate that we had in 1990 in the House when we discussed human fertilisation and embryology. It is quite clear that in 1996 we know much more than we did then about the effects of freezing the human embryo. I am grateful for a report that an organisation called CORE, led by Josephine Quintavalle, has produced; for the work of Jack Scarisbrick of Life; and, as ever, for the assistance of the Society for the Protection of the Unborn Child, under the leadership of Phyllis Bowman.

This issue has been highlighted by the Government's introduction of regulations to allow for embryos stored in freezers for the past five years to be stored for another five years. I must tell the Government that I much regret that, apparently, those regulations will not be debated on the Floor of the House.

Nearly 300,000 embryos were created between 1991 and 1994. Most were destroyed or experimented on, but some 63,000 were frozen. Many of our citizens regard such freezing of human life as deeply repugnant. The licensing body admits that it has lost track of the parents of 3,000 of the embryos. Hon. Members will have followed in the media recently many disturbing stories about the plight of those human embryos generated in the course of IVF treatment who were surplus to immediate requirements and so were put into cold storage for future use, but whose parents can no longer be traced. Sometimes the parents have remarried or left the country. Others may have decided that the annual fee of £100, which parents must pay for the storage of their offspring, was not worth it. Yet others may have lost interest for other reasons.

We are facing a tangled and unfortunate moral dilemma. What should we do with those orphans? There is still no convincing evidence that we understand the full long-term implications of cryopreservation. Recent negative reports warn about hazards. Embryo freezing is not really a successful technique, with just a 7 to 10 per cent. live baby rate. It will be outdated quickly by new developments in the freezing of eggs rather than embryos.

Clinical opinion and scientific reports suggest that the possibility of significant long-term damage, as a result of cryopreservation, cannot be ruled out. It is extraordinary that only one major study into the long-term effects of cryopreservation has so far been conducted. Drugs should undergo extensive toxicological tests on a number of different animals over a long time before they proceed to clinical trials.

The only study that has examined the long-term effects of cryopreservation has raised concerns. The ectopic pregnancy rate for unfrozen embryos is also inexplicably high. There is growing evidence that the experience of freezing and thawing not only kills on an unacceptably large scale but can cause serious long-term damage to the survivors. There is evidence from Cambridge in the United States, and especially from France, that even if embryos survive the experience, the shock of being frozen can cause serious genetic dislocation that could manifest itself perhaps years later in the form of major abnormalities. It is to be regretted that attempts were made to discredit the findings of a distinguished team of doctors in Paris.

The status of the embryo has never been defined. In legal disputes we are in triple limbo because embryos are considered as human beings, sort of human or simply property. If gamete donation has been involved in the case of abandoned embryos, it is even harder to decide who owns an embryo. Despite repeated statements from the HFEA that all assisted reproductive technology is done in the interests of the offspring, no research is available from the child's perspective. It is lamentable that 18 years from the time of the first IVF baby, no such research has been commissioned. An examination of European practices in that regard leaves little doubt that United Kingdom legislation is liberal compared with that in Denmark, France, Germany, Norway, Spain or Sweden.

Any fertility treatment that produces surplus human embryos is contrary to the respect that is due to early human life, and it results in the deliberate or accidental killing of those embryos. Interestingly, the Hammersmith hospital does not carry out cryopreservation as it thinks that the process has been insufficiently tested and does not have a good record. This is a classic case of rushing into legislation without more careful consideration.

Some hon. Members are uncomfortable with the HFEA's regulatory regime as constituted by its present membership. It has been said that we think that it is enough to discover new things but that we do not realise that knowing more demands a corresponding development of morality. In the freezing of human embryos the end does not justify the means.

Question put and agreed to.

Bill ordered to be brought in by Mr. David Amess, Mr. David Alton, Mr. David Atkinson, Mr. Vivian Bendall, Mr. Joe Benton, Mr. Toby Jessel, Dame Jill Knight, Ms Liz Lynne, Mr. Thomas McAvoy, Mrs. Elizabeth Peacock, Rev. Martin Smyth and Mrs. Ann Winterton.

FREEZING OF HUMAN EMBRYOS

Mr. David Amess accordingly presented a Bill to ban the freezing of human embryos: And the same was read the First time; and ordered to be read a Second time upon Friday 19 April and to be printed. [Bill 98.]

BUSINESS OF THE HOUSE

Ordered,

That—

(1) At this day's sitting:—

(a) as soon as the proceedings on any Motion made by a Minister of the Crown relating to Prevention of Terrorism (Additional Powers) Bill (Allocation of Time) have been concluded, the order for the second reading of the Prevention of Terrorism (Additional Powers) Bill shall be read;

(b) notices of Amendments, new Clauses and new Schedules to be moved in Committee in respect of the Prevention of Terrorism (Additional Powers) Bill may be accepted by the Clerks at the Table before the Bill has been read a second time;

(2) at the sitting on Wednesday 3rd April, the Speaker shall not adjourn the House until she shall have reported the Royal Assent to any Acts agreed upon by both Houses.— *[Mr. Newton.]*

Prevention of Terrorism (Additional Powers) Bill (Allocation of Time)

Madam Speaker: I have selected amendments (a) and (b) in the name of the right hon. Member for Berwick-upon-Tweed (Mr. Beith) and amendment (e), a manuscript amendment in the name of the hon. Member for Thurrock (Mr. Mackinlay).

3.43 pm

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): I beg to move,

That the following provisions shall apply to the proceedings on the Prevention of Terrorism (Additional Powers) Bill:—

Second Reading, Committee, Report and Third Reading

1.—(1) The proceedings on Second Reading, in Committee and on Consideration and Third Reading of the Bill shall be completed at this day's sitting.

(2) The proceedings on Second Reading shall be brought to a conclusion three hours after their commencement.

(3) The proceedings in Committee shall be brought to a conclusion two hours after their commencement.

(4) The proceedings on Consideration and Third Reading shall be brought to a conclusion three hours after the commencement of the proceedings in Committee.

(5) When the Bill has been read a second time it shall, notwithstanding the provisions of Standing Order No. 61 (Committal of Bills), stand committed to a Committee of the whole House without any question being put and the Speaker shall forthwith leave the chair whether or not notice of an Instruction has been given.

(6) On the conclusion of the proceedings in Committee the Chairman shall report the Bill to the House without putting any Question and, if he reports the Bill with Amendments, the House shall proceed to consider the Bill as amended without any Question being put.

(7) No Motion shall be made to alter the order in which proceedings in Committee or on Consideration of the Bill are taken.

Conclusion of proceedings

2.—(1) This paragraph applies in relation to any proceedings on the Bill which are to be brought to a conclusion in accordance with paragraph 1.

(2) For the purpose of bringing to a conclusion any proceedings which have not previously been brought to a conclusion, the Chairman or Speaker shall forthwith put the following Questions (but no others)—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed;

(c) the Question on any amendment moved or Motion made by a Minister of the Crown;

(d) any other Question necessary for the disposal of the business to be concluded;

and on a Motion so made for a new Clause or a new Schedule, the Chairman or the Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

(3) Proceedings under sub-paragraph (2) shall not be interrupted under any Standing Order relating to the sittings of the House. .

(4) If at this day's sitting a Motion for the Adjournment of the House under Standing Order No. 20 (Adjournment on specific and important matter that should have urgent consideration) stands over to Seven o'clock and proceedings to which this Order applies have begun before that time—

(a) that Motion shall stand over until the conclusion of any proceedings which, under this Order, are to be brought to a conclusion at or before that time; and

[Mr. Tony Newton]

(b) the bringing to a conclusion of any proceedings which, under this Order, are to be brought to a conclusion after that time, shall be postponed for a period equal to the duration of the proceedings on that Motion.

Lords Amendments

3. The proceedings on Consideration of any Lords Amendments shall be completed at the sitting on 3rd April and, if not previously brought to a conclusion, shall be brought to a conclusion one hour after the commencement of those proceedings.

4.—(1) For the purpose of bringing any proceedings to a conclusion in accordance with paragraph 3 above—

(a) the Speaker shall first put forthwith any Question which has already been proposed from the Chair and not yet decided and, if that Question is for the amendment of a Lords Amendment, shall then put forthwith the Question on any further Amendment of the said Lords Amendment moved by a Minister of the Crown and on any Motion made by a Minister of the Crown, That this House doth agree or disagree with the Lords in the said Lords Amendment or, as the case may be, in the said Lords Amendment as amended;

(b) the Speaker shall then designate such of the remaining Lords Amendments as appear to the Speaker to involve questions of Privilege and shall—

(i) put forthwith the Question on any Amendment moved by a Minister of the Crown to a Lords Amendment and then put forthwith the Question on any Motion made by a Minister of the Crown, That this House doth agree or disagree with the Lords in their Amendment, or as the case may be, in their Amendment as amended;

(ii) put forthwith the Question on any Motion made by a Minister of the Crown, That this House doth disagree with the Lords in a Lords Amendment;

(iii) put forthwith, with respect to all of the Amendments designated by the Speaker which have not been disposed of, the Question, That this House doth agree with the Lords in those Amemdments; and

(iv) put forthwith the Question, That this House doth agree with the Lords in all the remaining Lords Amendments;

(c) as soon as the House has agreed or disagreed with the Lords in any of their Amendments, or disposed of an Amendment relevent to a Lords Amendment which has been disagreed to, the Speaker shall put forthwith a separate Question on any other Amendment moved by a Minister of the Crown relevant to that Lords Amendment.

(2) Proceedings under this paragraph shall not be interrupted under any Standing Order relating to the sittings of the House.

Stages subsequent to first Consideration of Lords Amendments

5.—(1) The proceedings on any further Message from the Lords on the Bill shall be brought to a conclusion one hour after their commencement.

(2) For the purpose of bringing those proceedings to a conclusion—

(a) the Speaker shall first put forthwith any Question which has already been proposed from the Chair and not yet decided, and shall then put forthwith the Question on any Motion made by a Minister of the Crown which is related to the Question already proposed from the Chair;

(b) the Speaker shall then designate such of the remaining items in the Lords message as appear to the Speaker to involve questions of Privilege and shall—

(i) put forthwith the Question on any Motion made by a Minister of the Crown on any item;

(ii) in the case of each remaining item designated by the Speaker, put forthwith the Question, That this House doth agree with the Lords in their Proposal; and

(iii) put forthwith the Question, That this House doth agree with the Lords in all the remaining Lords Proposals.

(3) Proceedings under this paragraph shall not be interrupted under any Standing Order relating to the sittings of the House.

Business Committee

6. Standing Order No. 80 (Business Committee) shall not apply to this Order.

Dilatory Motions

7. No dilatory Motion with respect to, or in the course of, the proceedings on the Bill shall be made except by a Minister of the Crown, and the Question on any such Motion shall be put forthwith.

Extra time

8. Paragraph (1) of Standing Order No. 14 (Exempted business) shall apply to proceedings on the Bill.

Supplemental orders

9.—(1) The proceedings on any Motion made by a Minister of the Crown for varying or supplementing the provisions of this Order shall, if not previously concluded, be brought to a conclusion one hour after they have been commenced, and paragraph (1) of Standing Order No. 14 (Exempted business) shall apply to those proceedings.

(2) If at any day's sitting the House is adjourned, or if the sitting is suspended before the time at which any proceedings are to be brought to a conclusion under this Order, no notice shall be required of a Motion made at the next sitting by a Minister of the Crown for varying or supplementing the provisions of this Order.

Saving

10. Nothing in this Order prevents any proceedings to which this Order applies from being taken or completed earlier than is required by this Order.

Recommittal

11.—(1) References in this Order to proceedings on consideration or proceedings on Third Reading include references to proceedings at those stages, respectively, for, on or in consequence of, recommittal.

(2) No debate shall be permitted on any Motion to recommit the Bill (whether as a whole or otherwise), and the Speaker shall put forthwith any Question necessary to dispose of the Motion, including the Question on any amendment moved to the Question.

As the House knows, yesterday my right hon. and learned Friend the Home Secretary explained in a statement to the House why, in the current security circumstances following the calling off of the IRA ceasefire, he had been persuaded of the need to confer additional powers on the police. He described his proposals yesterday, and they are set out in detail in the draft Bill which was also published yesterday, and which, in the past 10 minutes, has been metamorphosed into an actual Bill and introduced in the House.

I believe that my right hon. and learned Friend's view of the need for the Bill is shared by the overwhelming majority of hon. Members on both sides of the House. The official Opposition have made it clear that they are satisfied with the case that has been made, and while the Liberal Democrats have, perhaps, been more delphic—I hope that that is not unfair—I think it reasonable to say that their concerns appeared to be with the procedures proposed rather with the policy itself. On the procedures, I can only say that the Government think—having made the judgment that the powers are needed—that it must be right to try to enact them before Parliament rises for Easter, rather than waiting a fortnight or more for Parliament to resume. That means that the House must complete its consideration of the Bill today, so that it can be dealt with in another place tomorrow with a view to

securing Royal Assent tomorrow evening. The purpose of the motion is to enable the House to achieve that in a sensible and orderly way.

Mr. A. J. Beith (Berwick–upon–Tweed): Could not what the Leader of the House wants have been achieved—even taking into account the Home Secretary's delay in producing the Bill—if the Home Secretary had published the Bill last week, and if each day this week, including Thursday, had been used to enable us to discuss separate stages on separate days? Consultation with outside bodies could have taken place between the sittings.

Mr. Newton: It has been necessary for full consideration to be given to these matters within Government. The policy was agreed collectively by the Government only last week. My right hon. and learned Friend the Home Secretary has acted with commendable speed in the wake of that, and as a result we need to transact the business in the way laid down in the motion.

Mr. Max Madden (Bradford, West): First, what is the most recent precedent for the Government's recommendation of the procedure that we are being asked to follow? Secondly, can the Leader of the House explain—as the Home Secretary signally failed to do yesterday—the motivation for the Bill's being rushed through the House in this way?

Mr. Newton: I cannot immediately recall a precise precedent, but then I cannot recall precisely similar circumstances. Terrorism has been resumed in this country; the police have made clear their belief that they need these additional powers in order to have the maximum scope for combating further instances of that terrorism; and we are operating within a day or so of the Easter recess.

The hon. Gentleman made the same point in response to my business statement yesterday. I thought that my right hon. and learned Friend made the case for the proposals absolutely clear in his own statement yesterday—and, indeed, that has been accepted by those on the Opposition Front Bench.

Mr. Kevin McNamara (Kingston upon Hull, North): Everyone accepts that the Bill is very important. How can the right hon. Gentleman justify having allowed less than five minutes for the discussion of each amendment—presuming that all were selected—quite apart from any time spent on voting?

Mr. Newton: I defend it on the basis of my general judgment that the amount of time that we have provided for discussion of the Bill and the motion—to which I shall refer in a moment—is appropriate for proper debate of the proposals in the particular circumstances, and against the background of a resumption of terrorism on the mainland.

Mr. D. N. Campbell–Savours (Workington): Over the 16 years in which I have been in the House, I have noticed that when legislation is guillotined it invariably goes wrong. Why can we not have real time in which to discuss what may—I do not know—be a perfectly valid Bill?

Mr. Newton: Let me repeat what I just said. I think that the motion provides appropriate time in the particular circumstances—Opposition Front Benchers have found that view persuasive on the basis of briefing that they have been freely given—and in view of the fact that the House is about to rise for the Easter recess. It will not surprise the House that, despite my support for the proposals of my right hon. and learned Friend the Home Secretary, it gives me no pleasure whatever to be moving a timetable motion. It is in fact the first that I have moved for more than two years. I simply believe that, in the circumstances with which we are confronted, it is both sensible and necessary.

I am once again grateful, as I said yesterday, to the hon. Members for Blackburn (Mr. Straw) and for Dewsbury (Mrs. Taylor) for the constructive manner in which they acknowledged that, and made it clear that they would not stand in the way. Perhaps I might assure them in return, particularly the hon. Member for Dewsbury, who made some cautionary comments yesterday, that it does not in any way lessen my commitment following the Jopling reforms, during which time I have worked closely with her, to achieve the progress of legislation by voluntary understandings, when circumstances are normal, through the usual channels.

The motion provides—it is already obvious that it is controversial and will no doubt be the subject of further comment—that all stages of the Bill will be completed during this sitting. It provides three hours for debate on Second Reading, and then two hours for proceedings in a Committee of the House. Report and Third Reading will end three hours after the start of the Committee stage, which should allow an hour for Third Reading, less any time spent on Divisions at the end of the Committee stage. The remaining provisions are more or less standard for such motions.

As I have said, given the urgent need that we have identified and the exigencies of the calendar, I think that such provisions will generally—although I accept not universally—be regarded as reasonable, and I commend the motion to the House.

3.50 pm

Mrs. Ann Taylor (Dewsbury): We are today dealing with a Bill in a very unusual, if not unprecedented, manner. I should make it clear at the outset that, as my hon. Friend the Member for Blackburn (Mr. Straw) and I said yesterday, we do not underestimate the importance of the fight against terrorism. It is on the basis of information given in security briefings to my hon. Friends that we are accepting the word of the Government that the Bill and the time scale are absolutely essential. However, I must emphasise, to the Leader of the House in particular, that our willingness to facilitate the passage of the Bill does not mean that we are happy about the position in which the Government have placed the House.

There are two separate matters. First, there is the fact that everyone—I believe—feels bounced into consideration of the legislation because of the lack of notice that has been given. More could have been done to ease that feeling among hon. Members. Secondly, there is a specific problem that the proceedings are subject to the guillotine motion that the Leader of the House has just moved.

On the need for the guillotine motion, I accept that if measures such as those in the Bill are deemed necessary on security grounds, it is reasonable for the

[Mrs. Ann Taylor]

Government to ensure that they get legislation through the House in the required time scale. On that basis, I shall not be voting against the timetable motion. That still begs the question, however, why the House has been bounced in such a manner into considering the legislation in these difficult circumstances today. I do not believe—my hon. Friend the Member for Workington (Mr. Campbell-Savours) has already referred to the point—that hasty legislation is likely to be good legislation. There is always a danger that if we legislate in haste, we may implement defective provisions. As a result, all hon. Members are faced with significant difficulties. The time scale has meant that it has been very difficult for Members to table amendments. Indeed, a great deal of pressure has been put not only on Members but on Officers of the House in order for it to be feasible to consider the Bill properly today.

Mr. Campbell-Savours: Is there not an immense principle involved here—that one should never guillotine legislation that has implications for civil liberties?

Mrs. Taylor: There are always difficulties in saying never in politics. A balance must be reached in difficult situations such as this and people must weigh up competing claims, and that presents the House with an extra difficulty. That is why the time scale is providing so many difficulties and—if I may say so—so many suspicions on the part of hon. Members who believe that the Home Secretary and the Government are bouncing the legislation through and that we are taking their word on its merits.

Mr. Dennis Skinner (Bolsover): In answer to questions yesterday, the Home Secretary made it clear that the stop-and-search measures are comprehensive and will not apply simply to the rounding up of alleged terrorists. The net result will be that anybody can be caught in the net, and that is a matter of civil liberties and justice. The Home Secretary made the game plan abundantly clear. Is my hon. Friend seriously happy with that?

Mrs. Taylor: My hon. Friend the Member for Blackburn—the shadow Home Secretary—has received significant assurances from the Home Secretary on such aspects as the monitoring of the workings of the new proposals, and he is satisfied with those assurances. The Home Secretary said in the House yesterday that many of the measures are technical, and added that he is trying to bring the powers of the police in Great Britain into line with those available to the police in Northern Ireland. My hon. Friend the Member for Bolsover (Mr. Skinner) was, I think, referring to section 13A of the Act, but the Opposition have accepted the Home Secretary's assurances in good faith on the basis of what he said in the House and in conversations with my hon. Friend the Member for Blackburn.

Mr. McNamara: Can my hon. Friend show where those assurances on protection appear in the Bill? She said that the powers in the Bill were roughly the same as other powers, and that the Government were putting them on the statute book. Has she read paragraph 10 of the schedule which says that the powers are additional to any other powers and that those of common law or any other enactment are not affected? Will not the situation remain as it was before the passage of the Bill?

Mrs. Taylor: My hon. Friend—who follows these matters closely—was here yesterday when certain assurances were given by the Home Secretary, and the right hon. and learned Gentleman will be pressed on these during our subsequent debates should the motion be carried by the House. The points that my hon. Friend are making—he is right to make them—are significant as they illustrate people's concerns that we are being bounced into legislation affecting civil liberties without adequate consultation.

Mr. Beith: Bearing in mind the fact that the original prevention of terrorism Act went through under a Labour Government in one day without a timetable motion, and that the hon. Lady has promised the Government—on behalf of the Opposition—full co-operation with the Bill, why does she think that the tight timetable motion is required? Who does she think will prevent the Bill getting on to the statute book?

Mrs. Taylor: A business motion was before the House in 1974 to make sure that that timetable was protected. At that time, the House was not up against a recess as we are at present. The Government are saying that they wish to protect the business so that there can be no delay or spill-over into the recess. If Ministers do not agree with that explanation, it is for them to explain. We are talking about Government business and while the Opposition are facilitating the process, we are not responsible for the legislation.

In view of what has been said, I hope that the Leader of the House and, indeed, the Home Secretary will understand that by introducing the legislation in this way, they have created many suspicions about the haste and many fears, especially about the changes to which my hon. Friends have referred in respect of section 13 of the prevention of terrorism Act. Any changes that involve or might involve individual civil liberties are bound to raise concerns. Even those who promote the restrictions in the Bill must recognise that there has to be a fine balance between individual rights and the safety of the public. The Home Secretary must take that concern on board when he makes his speech on Second Reading.

Mr. Madden: A few minutes ago, my hon. Friend rightly said that the powers in the Bill to stop and search pedestrians have applied in Northern Ireland for a long time. Is she aware of the outcome of those provisions in Northern Ireland? How many persons have been arrested, charged and convicted of terrorist offences? If my hon. Friend is unaware of that information—clearly, we have not been given any time to seek such information—does she believe that there is an overwhelming responsibility on the Home Secretary to convince us of the case later today?

Mrs. Taylor: Of course there is an overwhelming responsibility on the Home Secretary to convince the House of the case for his proposals. That is why it will be for him and not the Opposition to answer questions such as the one my hon. Friend has just raised.

My understanding is that the powers are somewhat more limited than my hon. Friend suggested, although I acknowledge that he has a great deal of information on these matters.

Dame Elaine Kellett-Bowman (Lancaster): Does the hon. Lady really think that the British people or the people of Northern Ireland would forgive my right hon. and learned Friend the Home Secretary if he did not take the matter seriously ahead of the very significant anniversary this weekend?

Mrs. Taylor: We have not demurred from that view; that is one of the reasons why we have accepted the case put to us for dealing with the Bill in this way today. However, I do not think that that should make us any easier about accepting very unusual procedures. It is incumbent on Ministers on all occasions to provide as much notice as possible of any changes in legislation that they wish to make and that is why I regret the fact that we have not had more notice of these changes.

Mr. McNamara: Is my hon. Friend aware that Home Office briefings, as reported by the media yesterday, said that the Home Office did not expect any particular problems over the coming weekend?

Mrs. Taylor: I am not responsible for Home Office briefings; I am responsible for the collective decision of the shadow Cabinet which was made on the basis of the overall briefings that we received. We face a real problem and a real danger. If the Government say that there is a significant risk and if the Bill can minimise that risk and help to protect lives, we have a responsibility to facilitate its passage through the House. I hope that in view of all that has been said, we can have an explanation from the Home Secretary of why no indication whatever of the possibility of the changes was given during the recent debate on the prevention of terrorism Act just three weeks ago. It would have been wiser if the Home Secretary had given a proper indication that these changes were under consideration. We shall all have to make our own judgment about why he did not do so.

It is important that the House is consulted where possible. It is not just a matter of the pride of Members. It is a fact that the more Members are consulted and involved in decision making, the better the chances are that we shall get our legislation right and that the Government will not have to return to the House for further amendment because of deficiencies in the legislation.

In conclusion, we are not happy with the way in which the Government have forced such instant decisions upon the House, but, for the reasons that I gave earlier, we will not stand in the way of the Bill or the proposed time scale. However we trust, and ask for an assurance, that the House will not be treated in such a cavalier way in future.

4.4 pm

Mr. A. J. Beith (Berwick-upon-Tweed): I beg to move, as an amendment to the motion, amendment (a) in line 8, leave out 'two' and insert 'five'.

We should start from the working assumption that the IRA is likely to seek to plant bombs at any time and that the means of so doing can be concealed more effectively than ever before. We do not need a high-level security briefing to know that. It was my assumption through much of the period of the ceasefire. Ministers conceded that it was well known the IRA remained active. Amendment (a) would give us more time to consider in Committee the details of how we seek to address this menace.

Let nobody assume that the reason for taking more time and having more careful consideration of the matter is any doubt about the possibility, or even the likelihood, of the IRA planning further bombing attacks. Nor is there any doubt about the threat to civil liberties that the IRA represents. There are few greater threats to civil liberties than having life and liberty taken away by a bomb. The question is by what means we can effectively prevent that and how can we ensure that those means are properly discussed in Parliament before they are placed on the statute book.

We must ask whether it is urgent that we should bring these measures on to the statute book. The police have been putting these proposals forward for a long time—some of them for years rather than months. Since the South Quay bombing, the Home Secretary has been well aware of the police's desire to have clarified their powers under the law that they use to mount searches and cordons. The provisions are primarily about the power that police can use in cordoning off an area or mounting a search.

The police do those things under existing powers. If there is a bomb threat or emergency this afternoon or tonight, the police will not wait for Parliament to change the law. They will use existing powers, as they have done in the past, and obtain the co-operation of the public in clearing an area of vehicles, stopping access to it and ensuring that members of public are not put in danger by entering it. That is what happens now. The police have reasonably requested that the powers under which they do that should be made clearer. We shall discuss that in detail later. There must be some doubt about whether they would depend on these provisions to do what needs to be done.

Even if we take it as read that for the purposes of this weekend the police need the powers, it was open to the Home Secretary to ensure that they received adequate parliamentary debate. He could have brought the Bill forward considerably earlier—even a week ago would have enabled its stages to be properly considered. The Bill was in his hands last Thursday or Friday, if not before. He could have published it then so that interested organisations and bodies, especially those dealing with the courts, could have brought forward proposals for amendments. Having failed to do any of those things, he could yesterday have ensured that the procedure that the House followed would take as much time as was available this week so that it could be done properly. I put it to the Leader of the House, who I think has himself been bounced into this to a considerable extent, that we could have sat on Thursday had he not been so insistent on getting away for holidays.

Mr. Campbell-Savours: Holidays?

Mr. Beith: I suspect that that is the pressure on the Government. The hon. Gentleman may, like me, have plans to do constituency work on Thursday, but I suspect

[Mr. Beith]

that the Government did not believe that they could keep their Members here on Thursday. Why else did they fail to take the obvious step of ensuring that on each day of this week, a stage of the Bill was taken? For example, the Bill could have been taken in the Lords later on Wednesday and Lords amendments could have been considered on Thursday. That would have enabled us to take the Committee stage on Wednesday, following Second Reading today.

There are a number of ways in which the procedures for the Bill could have been dealt with. *[Interruption.]* Hon. Members who seem to think that this is some kind of joke should realise that if there are no gaps between the stages of a Bill, the people outside the House, who will have to live with the legislation—some of them will have to arrest people in the street on the basis of it—will not get the chance to consider it properly.

I made some inquiries outside the Metropolitan police area and discovered that in other police authority areas, chief officers were not familiar with what was going on, and did not know the precise content of the proposed powers. Those are the sort of people whom we would consult between the stages of the Bill, to ensure that the powers reached the statute book in an appropriate form.

Sir Michael Shersby (Uxbridge): Will the right hon. Gentleman cast his mind back to 1994, when the House debated extensively the provisions of what is now section 60 of the Criminal Justice and Public Order Act 1994, which extended the powers of a constable to search without reasonable suspicion for an offensive weapon? All that is proposed here is to allow a constable to do the same thing in relation to a device—a device that could cause a serious explosion and massive loss of life. That is not a huge change of principle; it is a comparatively minor change. Moreover, the power is hedged around with all the provisions in the 1994 Act, in that a senior police officer has to authorise it and the Home Secretary has to keep a close watch on it. So what is the case for the extension of time, when we are debating something that is simple to understand?

Mr. Beith: The hon. Gentleman cannot have been listening to my opening remarks. I said that there was indeed a case for clarifying the powers that the police use in that connection, and that we needed to consider them carefully in detail. It may even be that when we come to those details we shall be able to deal with the matter more expeditiously than would now appear. However, the House will be up against the problem that if there is a substantial debate on the early clauses in Committee, when the axe falls every other clause will be read out as a number and passed into statute without any debate. That is how the timetable works. There is no Business Committee, and no subdivisions within the timetable period. If hon. Members become especially concerned with an early part of the Bill, its later provisions will not be debated at all.

There will be no Report stage, because the Government will accept no amendments. I was struck by the fact that the Leader of the House spoke as if he had already accepted that there would be no Report stage. He said something like, "That will be an hour for Third Reading"—but actually the hour is for both Report stage and Third Reading. The Leader of the House has already taken as part of the scheme of things the fact that the Government, however wrong they may be shown to be on detail, will not amend the Bill in Committee because they do not want a Report stage. So we can forget about a Report stage. And they will take the same attitude in another place.

That is government by decree. The Government have already decided the precise form that the Bill should take. Whenever Governments make such decisions, they get things wrong. Even with the best will in the world, the best organised Government in the world, with the finest Ministers and the finest civil servants, might still make mistakes. The present Government have a record of making mistakes. The Home Secretary and the Home Office certainly have a record of making mistakes about what the law is, and about the position in which they will be found when the matter comes before the courts. The Home Secretary has made so many such mistakes that he should be bound to expect it to happen in this instance.

Mr. Skinner: In view of what the right hon. Gentleman says on behalf of the Liberal Democrats—there will be no Report stage; it is pretty clear that the Government will get their own way; the debate will be time-limited; the matter should have been dealt with earlier; perhaps we should have sat on Thursday—he seems to be leading up to a great principle. He seems to be about to say not only that he will vote against the guillotine motion, but that such is the nature of the process that he and the whole Liberal Democrat party will vote against the principle of the Bill. Is that correct?

Mr. Beith: It is important that the hon. Gentleman should learn to recognise the difference between the procedures of this place and the contents of a Bill. *[Interruption.]* It is significant that the Labour party appears to find that idea funny. Labour in office, in both central and local government, sees no difference between the value in its eyes of what it wants to carry out, and the procedures by which we protect people's liberties, and protect proper democratic debate.

There is an important distinction to be drawn between those two factors. One of the things that the Leader of the House is paid to do is to be aware of that distinction, to represent it in Cabinet and to ensure that the House has procedures for controlling the way in which even the most pressing of matters on the Government's agenda are dealt with.

There is always a good reason for doing a bad thing. There is always some compelling argument for undermining the basis on which parliamentary democracy operates, and in a way that will cause damage in the future. I have absolutely no doubt that, just as hon. Members have asked for precedents for this motion, on a future occasion a Minister will say, "We have the precedent in the Prevention of Terrorism (Additional Powers) Act 1996. That Act went through on a timetable motion in one day, with no amendments being accepted. Why should we not do that on any of a wide variety of other pieces of legislation?"

I remind the House that there was no timetable motion when the original Prevention of Terrorism (Temporary Provisions) Act 1974 went through; the House simply continued considering it until it had completed

consideration of the amendments. It is possible to imagine a better timetable motion in which the allotted time was subdivided to ensure that each part of the Bill was discussed, but we do not have such a motion before us. The Standing Order relating to the Business Committee will not apply.

The time that is taken up in Committee will be taken off the time allocated for the Report stage and Third Reading. This timetable motion is very unsatisfactory. It has been moved to get the Government off the hook because they delayed introducing the Bill. The Home Secretary then went to the Leader of the House and said, "Can you get this Bill through this week?" The Leader of the House said, "I can do it only on a timetable motion, and a fairly stringent one. No problem; the Labour party will agree to it," and that was that. If that is how we are to run this place, we might as well go home. We are supposed to be here to ensure that the law is properly discussed and considered and that, when it gets on to the statute book, it achieves the purposes for which it was introduced.

Mr. Jeremy Corbyn (Islington, North): I agree wholeheartedly with what the right hon. Gentleman said about Parliament's role in scrutinising legislation. However, since this legislation is being rushed through—it will not be considered and it will be subject to a guillotine motion—can he be clear about that? Does he agree that the best message we can send to the British people when the Government try to treat Parliament with contempt is to say no and vote against the Bill?

Mr. Beith: The opportunity to say no will arise today when we vote on the timetable motion. I hope that most Labour Members will vote with me when we reach that stage; but that remains to be seen.

Another principle that we want to make clear is that we are determined to fight terrorism and to assemble such powers as are necessary for that purpose and consistent with the maintenance of our civil liberties. That is why the Liberal Democrat party has voted for prevention of terrorism legislation when Labour opposed it and continued to vote for it when Labour abstained. We are prepared to make such decisions as long as we have a proper parliamentary process by which to do so. The House is being denied that process today, and it is an extremely bad precedent.

I am quite convinced that, in times to come, there will be criticism of the details of the legislation. Some ordinary police constable who seeks to exercise the powers granted under this legislation will find, when he is called to account, that those powers crumble in his hands. That will happen because the House did not properly consider the powers, which subsequently did not satisfy the purpose for which they were enacted.

I always remember the phrase used by the current Secretary of State for Northern Ireland, when he was Solicitor-General, when one of his Bills went before a Special Standing Committee—the type of Committee in which hon. Members scrutinise in detail what a Bill does. After a couple of sittings of the Committee, he announced that he had discovered that the Bill could not satisfy the purpose for which it was intended—it could not do so and it could not be made to do so. I am not suggesting that the proposals in the Bill are in quite such a mess as that, but it is almost certain that any proper, detailed consideration would discover defects in them and ways in which civil liberties could be more effectively protected. We will be denied that opportunity for scrutiny.

Therefore, I invite the House to extend the time available to the Committee. I also invite the House to ensure that amendments other than Government amendments are voted on at the end of the guillotine period. That measure is contained in an amendment tabled by the hon. Member for Thurrock (Mr. Mackinlay), to which he will no doubt speak later.

Who in the House believes that all wisdom resides with Ministers? I hope that not even Conservative Members, let alone Opposition Members, believe that. Hon. Members must know of many occasions when Governments have been forced to accept amendments tabled by Back Benchers or by Opposition Members or have then tabled similar amendments to get the Bill into a proper form. That process will be denied tonight once the guillotine falls.

The people who wrote this Bill are the Government's draftsmen, and they are the only people who will be able to amend it. They will not amend it because the Government do not want that procedure to be brought into force. As I have said, it is government by decree—take it or leave it—and the police and the public will pay the price of it.

4.19 pm

Mr. Kevin McNamara (Kingston upon Hull, North): I take this opportunity to thank you, Madam Speaker, for the arrangements that you set in motion yesterday to allow the House to consider amendments; hon. Members are very grateful to you for that. I do not intend to delay the House on this matter—the right hon. Member for Berwick-upon-Tweed (Mr. Beith) has spoken about parliamentary procedure.

It is important to note that each and every power that we are debating today has been the subject of discussion by the police and the police forces since the explosion at the Baltic Exchange—at least that far back. They have discussed what should be done, what can be done and how it should be done.

Suddenly, the House is being bounced into passing this measure with 24 hours' notice and with limited time. As I pointed out to the Leader of the House, we will have less than five minutes to discuss each of the amendments. If we were properly to debate only one amendment and vote on it, in all probability the remaining time to debate the other amendments would be lost.

We are in a difficult position. Some people have been tempted to say that we should just let the Bill go through and thereby show our contempt for it and for the way in which the House has been treated. Others have said that we should have one debate on one amendment and try to make our points—if we are fortunate enough to catch your eye, Madam Speaker—either in the Second Reading debate or in the truncated part of the remaining hour after our two-hour debate on the amendment.

The position is difficult because the decision has been made not only by the Government but, sadly, with the agreement of my hon. Friends. It was patently obvious that something was going to happen once we changed our position on the prevention of terrorism Act. Once we had conceded that point without debate, we were easy

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pushovers for any other power that the Government might seek to introduce because we could not go back on that decision. That is the way things are at the moment: new powers are being proposed and if we vote against them we will be told that we are denying what we did a fortnight ago.

The Government knew a fortnight ago that they were likely to introduce these powers, but they did not mention them. They knew on Thursday that they were likely to introduce the powers, but there was no mention of them in the business statement. We know that because that was the occasion on which my hon. Friends first had their secret briefings. We are now asked to pass and to accept the legislation on the basis of a secret briefing—and when we are receiving conflicting evidence and signals.

We were told that the Bill has to pass by the weekend because of the significance of Easter in the Republic's calendar—I shall deal with this matter in the Second Reading debate—but last night we were told that we are not expecting any problems over Easter. The threat of Easter was given to my hon. Friends as the reason for this Bill, which was denied by Home Office briefings late last night. Have the Opposition been bounced into agreeing to this matter on the basis of briefings? How specific, direct and objective were the briefings that we have been given to make us accept the guillotine motion?

It is quite outrageous that there will be serious incursions into people's normal civil liberties and that we will have only two hours to discuss them. For the sake of the argument, let us say that the Government are justified in everything that they are doing. However, for them to expect us, as a House and as a democratic assembly, to allow the Bill to go through in two hours flat is a nonsense. People can be stopped in the streets in designated areas and searched, their outer clothing can be removed, their shoes can be removed and their hats can be removed—that will create problems in the Sikh community and in other communities. It has been suggested that we should let it go through in two hours, when the Government have known about the problems since the Baltic Exchange. That is a nonsense.

We should reject the timetable motion because, first, the Government knew about the need for this Bill and could have informed the House earlier; secondly, because their reasoning for bouncing the House into agreeing to the motion is dubious; and, thirdly, because if we are going to remove the civil liberties of many of our citizens, it is their entitlement that the House, the representatives of the people, should examine each amendment more carefully than it is possible to do in five minutes.

4.24 pm

Sir Peter Emery (Honiton): I shall be brief. In a usual situation it would be unacceptable, procedurally, for a Bill to be introduced and pass through all its stages in one day. My right hon. Friend the Leader of the House said as much, and made it clear that there was a very special and very definite reason for so doing.

Furthermore, if indeed the Home Secretary has been able to convince the leaders of the Opposition that this is a necessary step, the House would be at fault if it did not pass the legislation in one day, as suggested. There are precedents for so doing; we need not rehearse them. They are known, but they are only precedents of the most extreme nature.

If certain outrages were perpetrated in this country between now and when the House returns and we had not taken these measures, we should be very much to blame. Although, as Chairman of the Procedure Committee, I do not like this procedure, I can see the need for it. As the Leader of the House and hon. Members on both Front Benches said, no hon. Member likes having to do it but, as it is necessary, we should proceed—and proceed quickly, not spend time discussing the timetable motion.

4.26 pm

Mr. Dennis Canavan (Falkirk, West): I could hardly believe my ears when I heard the Leader of the House say that he was proposing the motion to enable the House to proceed in a sensible and orderly way. There is nothing sensible or orderly about proposing that, in less than six hours, we debate the detail of draconian legislation that, if passed, will deprive many people of their basic civil rights and that is of questionable value in the campaign against terrorism. By proposing the motion, the Government are treating Parliament with contempt.

I was a Member of the House 22 years ago when the House debated the original Act—the Prevention of Terrorism (Temporary Provisions) Act 1974. As has been said, no timetable motion was deemed necessary then and the legislation passed through both Houses in approximately 48 hours. It was, in retrospect, seen not to be the good legislation that many people had thought it might be. It was rushed through, and I repeat the word "rushed" because, despite the fact that there was no guillotine or timetable motion, it passed through both Houses with inordinate haste. It was in the immediate aftermath of the Birmingham bombings, when there was almost a nationwide knee-jerk reaction; obviously, people were outraged by such atrocities. Many people who were outraged at the time now feel, in retrospect, that the House did not deal with the situation in the best way possible. The legislation that was rushed through Parliament did not help to catch the real culprits in the Birmingham bombings. No fewer than 27,000 people—the vast majority of whom were innocent—have been detained under the prevention of terrorism Act in the past 22 years. I do not think that the precedents for rushing through legislation are good, even when the motive—trying to defeat terrorism—is.

I am amazed also that it is less than three weeks since the House debated the renewal of the prevention of terrorism Act. Some time was allocated for the debate—perhaps not as much as several hon. Members would have liked, but I had the opportunity to make a five-minute contribution, as did other hon. Members. In opening and in summing up the debate, Ministers did not hint at the need for additional powers. The right hon. Member for Berwick-upon-Tweed (Mr. Beith)—who I believe is a member of the Security Commission and has access to security information—suggested that such a proposal has probably been lying around in the Home Office collecting dust for some months, if not years. Therefore, I think that it is incumbent on the Home Secretary to tell us why the dust is now being shaken from the legislation and why it is being put before the House.

I do not understand it. Less than three weeks ago, the Home Secretary seemed quite satisfied with the status quo of the powers in the prevention of terrorism Act. He told us that Lord Lloyd of Berwick is reviewing the legislation. Has Lord Lloyd issued an interim report

stating that the powers in the existing prevention of terrorism Act are inadequate and putting the case for additional powers? I do not believe that further draconian measures are justified at this stage—particularly powers to stop and search people who are going about their lawful activities.

Mr. Peter Shore (Bethnal Green and Stepney): I have listened with great sympathy to my hon. Friend's remarks. It clearly would have been far preferable if the Home Secretary had anticipated, as it were, the 80th anniversary of the Dublin uprising of 1916 and tabled amendments to be debated properly when the Act was renewed a fortnight ago. I accept that point and I fully understand my hon. Friend's feelings.

I am sure that my hon. Friend recognises, however, that, if the Government receive serious information about a renewed threat, we have a duty to err on the side of caution and to protect our own people. I speak as a Member of Parliament who represents one of the two constituencies in Tower Hamlets where the appalling atrocity was committed not long ago. People might not understand it if passionate defenders of the rights of the individual, such as my hon. Friend, did not consider that fact.

Mr. Canavan: I understand my right hon. Friend's point of view: he obviously speaks in defence of his constituents. My fear is that the Bill could be counter-productive because, in the campaign against terrorism—which is absolutely legitimate and necessary to defend my constituents, my right hon. Friend's constituents and those of every right hon. and hon. Member—good relations between the police and the community are absolutely essential.

Madam Speaker: Order. The hon. Gentleman is making a speech that is much more suitable to a Second Reading debate, and I would be glad to hear it at that time. For the moment, however, it would be more appropriate for him to refer to the guillotine and the timetable motion.

Mr. Canavan: As we are debating the timetable motion rather than considering the Bill on Second Reading, I am sorry not to be able to go into more detail.

We should be careful, however, about rushing through legislation that could be counter-productive in the campaign against terrorism. We all want effective powers to defeat terrorism, but Parliament should be given the time and the opportunity carefully to scrutinise such measures to ensure that they are necessary, that they are effective and, above all, that they are not counter-productive. So far, I have not been convinced on any of those counts.

If time permits, during the subsequent debate I might be persuaded by the Home Secretary or other hon. Members of the need for powers of search regarding cargoes at ports or uninhabited properties, or powers to impose parking restrictions and cordon off certain areas. I am not keen on such measures, but I might be persuaded of them during the debate. I am absolutely opposed to the powers of stopping and searching innocent people and no one can accuse me of being soft on law and order.

If we are looking to rush through emergency legislation in a few hours between now and the Easter recess, I honestly believe that there is a stronger case—and that there would be widespread public support—for rushing through emergency legislation on gun control in view of the recent Dunblane massacre. I tabled an early-day motion, which was signed by more than 120 hon. Members, calling for a ban on the private possession of handguns and a stricter control of all firearms. Not one Tory Member supported it. The Home Secretary continues to allow gunmen to walk the streets while innocent people can be stopped and searched while going about their lawful business.

4.37 pm

Mr. Andrew F. Bennett (Denton and Reddish): I am disappointed that the Government have tabled a guillotine motion. They could at least have looked back to the original prevention of terrorist legislation in 1974 and followed that model. At that time, we had a reasonable amount of time on Second Reading and a lengthy debate on amendments. The Government made it quite clear that they were prepared to—and did—accept some of the amendments. Most important, the Government firmly told Parliament, "It is an emergency measure. We want to do it now, but we shall return to it and do it properly if we want to keep it for any length of time."

The measure was in force for 12 months. It then lapsed and was replaced by an Act of Parliament that received full scrutiny in Committee and the House had the opportunity to consider it with care.

If the Government are telling us that there will be a particular crisis over the next weekend, the next three weeks or the next three months and that they need to rush through legislation that severely restricts individuals' rights because they believe the threat to be so great, I can understand the need for it. If that is indeed what they want, they should seriously consider new clause 1, which proposes that the Act should cease to have effect after four months—a perfectly reasonable argument.

During yesterday's statement, the Home Secretary seemed to be arguing for this option half the time; but during the other half, he seemed to be suggesting that the measure is not really very draconian or important: it is just designed to clarify powers that the police think already exist. If the Government are aiming at clarity, surely we should take our time and produce carefully thought out legislation that is easy to enforce. The Government will have to make up their mind.

My first reason for opposing the motion is that the Government are running two things together—putting in place emergency legislation that, at the same time, they claim is designed merely to provide clarity.

Moreover, the Home Secretary suggested yesterday that we should not worry too much because he was going to produce guidance for police officers. That is welcome; most of us find it quite difficult to understand new legislation, although police officers may be better at it than some. But if the right hon. and learned Gentleman is going to produce guidance, why does he not follow the normal procedures of the House? The Minister in charge of a Bill usually circulates guidance in draft form. If the Home Secretary really wants clarity and proper debate, where is his draft guidance to show us what he believes the legislation is intended to do? In the panic to get the Bill through, hon. Members are being given no chance to see the accompanying guidance.

This is a particularly ungenerous and stupid guillotine. There have been many guillotines to ensure that the House finishes at a given time, but they have allowed flexibility

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within the time allotted. If we shorten the three-hour debate allowed on the guillotine motion, we gain no time to discuss the amendments. If we shorten the lengthy debating time allowed for Second Reading, we gain no time to consider amendments. The Leader of the House must realise that he should have introduced the guillotine motion allowing the House flexibility. Instead, we shall have very little time to debate the amendments.

The provisional selection of amendments appears to allow about 12 minutes per group. For proper scrutiny to take place, the Leader of the House should have offered us flexibility as between the time allowed for various debates.

The Home Secretary should tell us what he wants. Does he want emergency legislation, in which case he could accept new clause 1, which would stop the Act after four months, or does he want clarity? If it is the latter, let us go through the proper Committee procedures and replace the Act with something better—if necessary, at the end of that time. As it is, I cannot possibly support the guillotine motion.

4.43 pm

Mr. David Wilshire (Spelthorne): Hindsight is a wonderful debating tool. "We could have done this," is fair comment. "Why didn't we do that?" is equally fair comment. Still, we are where we are this afternoon, one day before a recess and a few days before Easter, with all its significance.

The House faces a stark choice. Either we stick with our usual procedures and defend the rights of the House as against those of the Executive, or we modify our procedures and take a slight chance with the wording of the Bill in order to minimise the risk of another atrocity.

If, by standing on our dignity this afternoon, the House fails to prevent just one more death of an innocent person, the nation will never forgive us.

4.44 pm

Mr. Jeremy Corbyn (Islington, North): This procedure underlines the weakness of the House of Commons and the system of patronage in it. If the House were independent of the Executive, and between 80 and 100 Conservative Members were not bound by patronage to vote for the Government, and if a similar number of Opposition Members were not similarly bound, the legislation would not be introduced in this manner. We would certainly not be discussing a three-hour guillotine motion followed by a truncated debate on a very serious issue.

The history of guillotine motions and rushed legislation is not a happy one. The original PTA was rushed through the House and has since been universally condemned as a human rights aberration and as denying many people the liberty to which they are entitled. Today, I suspect that we are repeating the mistakes of the past—

Mr. Stephen Day (Cheadle): I have listened with interest to the hon. Gentleman. I admire those who, like him, put civil liberties above all else, but what I find difficult to understand about his point of view is his apparent failure to recognise that the greatest civil liberty is the freedom to walk the streets of a town with some certainty of not being blown to smithereens by the most ruthless, cold-blooded terrorist organisation that the world has ever seen.

Mr. Corbyn: Obviously, the liberty to walk the streets of a person's home place and to live a life of peace is central. What I am not convinced of is the idea that this legislation will achieve anything besides giving the police excessive powers to stop and search people at random. That will lead to a deterioration in relations between the police and the community. Furthermore, it will do nothing to solve the problems of terrorism, which are basically political in origin and therefore require a political solution. The sorry experience of Northern Ireland since 1969 has shown that we need something more than repressive legislation to solve the problem. I am convinced that rushing through legislation of this kind, denying Members the opportunity to debate it properly and denying the public the chance to comment on it before it is discussed, is a sign of contempt for the democratic process by which we arrived here in the first place.

Only after protests yesterday were amendments to the Bill allowed. I am grateful to all occupants of the Chair for allowing them, but the Government should never have put the House in this position in the first place.

Mr. Tony Banks (Newham, North–West): In respect of stop-and-search powers and the lacuna in section 13A of the PTA, can my hon. Friend tell me how many IRA terrorists whom he knows are black? Whom does he think will be stopped on the streets of London?

Mr. Deputy Speaker (Mr. Michael Morris): Order. The hon. Gentleman may like to provide that information later this evening, but it is not appropriate to a guillotine motion debate.

Mr. Corbyn: Either on Second Reading or outside, I shall certainly discuss experience of the PTA with my hon. Friend.

We have been presented with a ludicrous choice of options at the conclusion of this debate. We have almost as much time on the guillotine motion as on the substance of the Bill. During the Committee, there are a possible 17 debates to be held, all on important matters. Those of us who tabled amendments certainly thought them through carefully, albeit quickly, last night. The idea that we can properly debate 17 issues in three hours, if necessary voting on all of them, is just not credible. Time will run out, and if the House divides on earlier amendments, we shall not reach the later ones, which will therefore receive no consideration at all.

The likelihood is that there will be a number of legal challenges to parts of the Bill. It will look pretty thin if the Home Secretary's defence in court some years hence is that Parliament did not even discuss the matter. Parliament will not have discussed the matter because the Home Secretary proposed a motion to deny the House the right to discuss it and to deny to hon. Members the right to table amendments.

When we have a difficulty or an emergency, it is up to the Home Secretary to convince people that the difficulty or emergency exists. I cannot speak for everybody, but many people in my constituency have suffered under the

prevention of terrorism Act in the past. Many people now recognise that the PTA is obsolete and unnecessary legislation and a denial of civil liberties. The Bill is a further denial of civil liberties and the House should not debate it today. The Bill should be laid on the Table so that we can discuss it properly after due consideration, and so that all interested parties can put forward their points of view.

If Parliament is to mean anything, it must be able to represent the views of the people who have sent us here. It is simply not possible to do that if we rush legislation through less than 24 hours after its existence has even been intimated in the media by the Home Secretary. I hope that the House will not agree to the guillotine motion and, therefore, will not enable debate to take place on the Bill today.

4.50 pm

Mr. Max Madden (Bradford, West): Like other Opposition Members, I have to confess that I remain totally confused and uncertain about why we are being asked to rush such important legislation through the House in less than 24 hours. If we listen to the Home Secretary and to the Leader of the House, we get two conflicting explanations. The Home Secretary said yesterday:

> "In recent weeks, I have discussed with senior police officers whether there were any additional powers that would strengthen their ability to safeguard the public. I have listened carefully to points that they made. The proposals that I am announcing today are designed to meet the real needs that they have identified. The additional powers will be accompanied by proper safeguards to ensure that they are used only where there is a real operational requirement. They are essentially practical and technical measures, but I believe that they are necessary changes, which will increase public safety."—[*Official Report*, 1 April 1996; Vol. 275, c. 35.]

The Leader of the House this afternoon, however, chose to argue that we were living in unusual, if not unique, circumstances. I again failed to be convinced about those unusual, if not unique, circumstances. Sadly, over the past 25 years, we have experienced terrorist outrages, including serious incidents in London. We have also experienced ceasefires introduced by paramilitary groups and, sadly, those ceasefires have been withdrawn. We can all also agree that we have had Easter before. I therefore do not understand the unusual and unique circumstances that the Leader of the House, unlike the Home Secretary, has used to justify this emergency legislation.

The fact that we have a timetable motion—a guillotine—to drive the measure through the House in such a short space of time reveals the Government's basic lack of confidence in their case. As the right hon. Member for Berwick-upon-Tweed (Mr. Beith) said earlier, if the Government were so convinced of the need for the legislation, why on earth could they not have the confidence to come to the House and convince us of the need without a guillotine motion? If nothing else, such an approach would have provided additional time for us to consider the measure. The guillotine motion is very revealing.

What is unusual and unique is that we have a peace process. It may be that the peace process is—sadly—losing momentum and unravelling, but what signal and what message would be sent out by the British House of Commons this afternoon on the peace process by rushing through draconian emergency legislation as we are being invited to do?

Mr. Jack Straw (Blackburn): My hon. Friend is right to say that the peace process is in some difficulty at the moment. Will he also acknowledge that the reason for the difficulty is that the IRA decided unilaterally to break the ceasefire and has committed bomb outrages since?

Mr. Madden: That is absolutely right, but I am sad that my hon. Friend has been persuaded of the case for this emergency legislation to be rushed through the House. In the IRA, the people who will be aided and abetted by what we are being asked to do this afternoon will be the hawks, the hard men and the people who want to continue the terror campaign.

I remember many of those magnificent and impressive peace demonstrations that took place in London, Belfast and Dublin. I do not recall any of the placards saying "Please renew the PTA" or "Please extend the PTA". Not one of those demonstrations called for the Bill.

When the Home Secretary made his statement yesterday, I regret that he was not able to say a word about a matter that would be of major assistance to rebuilding momentum in the peace process, marginalising the hard men in the IRA and restoring the ceasefire. I refer to the repatriation of Irish prisoners to the Irish Republic. I hope that the Home Secretary will soon be able to make a decision about repatriating Patrick Kelly and others who have applied to be transferred to prisons in the Irish Republic. In my view, that would make a major contribution to rebuilding confidence in, and the momentum of, the peace process.

This is not a minor Bill. It consists of seven clauses and a schedule. It has not been produced in the last week. As my hon. Friends have suggested, it has been sitting in the Home Office for a considerable time. We must ask ourselves why the Government have chosen this moment to bring it out of the filing cabinet and invite the House of Commons to pass it. I am not convinced by the case that has been made. Why were we not given even a scintilla of information about the proposals by the Home Secretary when the PTA was renewed on 14 March? I would have thought that that would have been a way of seeking and obtaining the confidence of the House, but that is not this Home Secretary's way.

On that occasion, the Home Secretary spent most of his time gratuitously insulting my hon. Friend the Member for Blackburn (Mr. Straw) for deciding officially that the Labour party would not oppose the renewal of the PTA but would abstain. Yesterday, however, it was all bouquets and praise for my hon. Friend. That change of attitude and behaviour in the Home Secretary came because he wanted something from the official Opposition, but not all of us in the Labour party will abstain on this measure tonight. A number of my right hon. and hon. Friends will oppose the guillotine motion; will vote against Second Reading; will propose amendments, if we get the chance; and will vote against Third Reading.

Mr. Greg Pope (Hyndburn): My hon. Friend has made an interesting point in suggesting that the Bill is being rushed through so quickly so as to gain party political

[Mr. Greg Pope]

advantage for the Government. If that is the case and if that is what my hon. Friend believes, would it not be the utmost foolishness to aid and abet the Home Secretary by voting against the Bill?

Mr. Madden: I have always believed that people should act as they believe. I believe that the Bill is thoroughly bad and, therefore, I will vote against it as a Member of Parliament. My hon. Friend should understand that the Lobby does not belong to anyone. We vote as individual Members representing our constituents. We are asked to exercise our best judgment on their behalf in all matters, and that is what I intend to do on this occasion, as I have done on all previous occasions.

I regret that the Bill is being rushed through because it denies us all an opportunity to consult individuals and groups in Northern Ireland who for many years have had to put up with the search powers that are proposed in the Bill. When the Home Secretary winds up, will he say how many arrests, charges and convictions for terrorist-related crimes have resulted from the powers to search pedestrians that are available in Northern Ireland, which are similar to the ones in the Bill?

I gave the Home Secretary's office notice this morning of a question about information which I hope that the right hon. and learned Gentleman will be able to provide later in the debate. In his statement yesterday, he said:

"It may reassure the House to know that the existing stop-and-search powers have been invoked only in the City of London and in the Metropolitan police areas in the aftermath of South Quay. In the City, the powers have applied for the full 28 days allowed on each occasion; in the much larger Metropolitan police district, they have been applied for periods of between seven and 10 days at a time. They remain in force at the moment, and rightly so."—[*Official Report*, 1 April 1996; Vol. 275, c. 36.]

How many people have been arrested, charged and convicted of terrorist-related crimes as a result of those powers? How do the existing stop-and-search powers vary from those in the Bill? It is also important for the House and the public to be absolutely clear about what these powers imply.

If the Government had not subjected us to the panic measure of trying to push the Bill through the House, we would have been able to talk to people in Northern Ireland about their experiences of what happens and what has happened there over many years as a result of such powers. I remind the House that clause 1(2) states:

"This section confers on any constable in uniform power to stop any pedestrian and search him, or anything carried by him, for articles of a kind which could be used for a purpose connected with the commission, preparation or instigation of such acts of terrorism."

Subsection (3) states:

"A constable may exercise his powers under this section whether or not he has any grounds for suspecting the presence of articles of that kind."

Yesterday, the Home Secretary spoke about safeguards, and today, several of my hon. Friends asked about those. What are they? They do not appear in the Bill, but unless they are real, we can rightly claim that the legislation is a return to the hated sus law. Under the legislation, for a period of up to 28 days, large numbers of people, in a completely arbitrary area, can be stopped and searched without any explanation or justification. Because of the time factor, we have not been able to take evidence on that issue. We have not been able to table amendments and we shall certainly not have adequate discussion of the matter.

As I said at the beginning of my speech, in politics generally and in Irish politics in particular, perception is all. I appeal not only to the Home Secretary but to the Government to recognise what will be the perception of the Bill that we are being asked to rush through. It will be exploited by the paramilitaries, whose propaganda machine will go into overdrive. They will say that the Brits have not learnt anything and will not learn anything, and that the only way forward is a return to terror and bombing.

Before the ceasefires came about, the Government promised that if they were introduced they would show generosity and imagination. It gives me no pleasure or satisfaction to say that, since the ceasefires were withdrawn a few months ago, and during the period that they were in operation from the summer of 1994, such generosity and imagination were singularly absent from all that the Government did. It was a question of delay and obstruction and of playing for time, and that played into the hands of those who were never in favour of the peace process or of democracy and who always argued that they could obtain their objectives by terror. The Government were materially at fault and I am disappointed to have witnessed that.

I am disappointed that, rather than being positive in relation to the peace process and Northern Ireland, we are again returning to the measures that have failed in the past. They are not relevant to today's problem. We need to show generosity and imagination to ensure that the peace process becomes reality. We must not return to this tired, arbitrary and possibly illegal legislation that has so failed us in the past.

5.6 pm

Mr. Peter Bottomley (Eltham): No one should believe that party advantage is sought from the guillotine motion. No one should work on the assumption that any hon. Member wants to speak in a way that would give any comfort to Sinn Fein, the IRA or the loyalist paramilitaries. People outside want to be sure that, irrespective of our views on civil liberties or on other issues, every hon. Member wants to reduce the number of victims and to make sure that the relevant powers are available to those who bravely answer every blue-light call to areas in which there may be bombs or to those who intercept people who may be carrying firearms. They deserve support in Northern Ireland and in the rest of the United Kingdom.

The Bill contains critical issues. Most people will understand that most of the Bill's powers already exist in the United Kingdom, in Northern Ireland. I do not think that people will see an issue of principle. I represent part of the borough of Greenwich, which had the experience of the Woolwich pub bomb, and of bombs at Government house, at the entrance to the Royal Artillery barracks and at Court road in Eltham at the Army resettlement offices.

People in my constituency and, I am sure, in Tower Hamlets and in many other parts of the country, want to be sure that, in all parts of the House and across the political spectrum from left to right, people are willing to consider powers for the police on their merits.

Three matters limit what the IRA can do. The first is what it thinks will achieve its aims. It will not seriously believe that the additional and limited police powers will

affect its aims that much. IRA members know that the biggest pressure on them comes from Irish people who say in growing numbers and more and more often, whether in Dublin, Derry or London, "The violence is not being done in our name. End it now." As the hon. Member for Warrington, South (Mr. Hall) has said in the past and as all hon. Members say, there is a fundamental right to life.

The second limit on the IRA is its physical capability. The powers that are being sought will help to make it possible to intercept, or to require people to show that they are not carrying materials that may be of some use in a terrorist attack. That is a clear sign that the legislation is proportionate. The last limitation on what terrorists can do is what they think their supporters will tolerate. We must go on trying to encourage people to ask questions about why the violence returned. Some people suspect—I fear that I am one of them—that Sinn Fein-IRA have not yet decided that they seriously want talks. Every time that that becomes possible they seem to back away, taking action or setting preconditions of some kind.

That, however, is a subject for another debate. The question before us now is whether it is right for us, as a democratic House, to allow the time for debate of the Bill. There has been a reference to an attack on democracy. I think that the attacks on democracy happened when a bomb went off in the police canteen of Westminster Hall, when Airey Neave was blown up as he left the House of Commons car park just before the 1979 election and when a terrorist walked into Robert Bradford's constituency surgery and killed him.

We accept the same risks as the police, and the populations of Northern Ireland and the rest of Great Britain. We must not give anyone the impression that there is an excuse for a return to violence in allowing the time proposed by the Government. I hope that the Bill will be passed, that the amendments can be considered in the time available and that the powers will not need to be used—or, at least, will not need to be used very often. Throughout these islands—in Ireland, where Sinn Fein-IRA secure less than 3 per cent. of the vote; in the north of Ireland, where they secure a slightly larger proportion, but nowhere near the majority of the nationalist vote; and in Great Britain, where virtually no one gives Sinn Fein-IRA any comfort—we should be saying that we do not want to have to retain these powers for long. We believe that there should be a commitment on all sides to create the necessary conditions, come to terms with history, put right what is wrong and ensure that there is no return to violence.

5.11 pm

Mr. Harry Barnes (North–East Derbyshire): Those of us who will oppose both the timetable motion and the Bill will undoubtedly be criticised for being "soft on terrorism".

Mr. Bowen Wells (Lord Commissioner to the Treasury): Hear, hear.

Mr. Barnes: Our record shows, however, that we have taken a strong stand against paramilitary activity from any source, and any form of violence and intimidation on the part of any group. Having opposed the actions of the IRA and Sinn Fein in particular, I am by no means flavour of the month in "Republican News". Although there is clearly a distinction between my views and those of the hon. Member for Eltham (Mr. Bottomley), we are united in the struggle against violence and intimidation. We are joint presidents of a group called New Dialogue, which espouses such principles. I cannot merely wish to give succour to IRA-Sinn Fein; I must have other reasons for arguing in this way.

Several justifications have been advanced for the timetable motion. First, it has been pointed out that the recess is about to begin, and that speedy action must therefore be taken. Secondly, it appears that some hon. Members are in possession of information that is not generally available, and that some terror—we know not what—is just round the corner. If we do not grant the powers, we shall be criticised for failing to act, but we also have a duty as democrats to study and understand the different positions involved, and to act only when we are convinced that there are strong reasons for acting.

The argument about the recess strikes me as nonsensical. We are in control of our own timetable and our own procedures. If it is so urgent for the Bill to be passed before Easter, we can still consider it fully tomorrow and on Thursday, if we delay the recess. Our other commitments, which supposedly mean that we must dash away, cannot be as important as the Bill is agreed to be by hon. Members on both sides of the House. According to the Government, it is so important that it must be rushed through; but others have argued that it is so important that the House must be able to examine and debate it in detail. I believe that the arguments for the timetable are wholly inadequate, and can easily be surmounted.

The Liberal Democrats have tabled four amendments. I am not sure what they will do if those amendments are carried. Are they still saying that they will oppose the timetable motion? I support the amendments, because if they were carried and the motion were subsequently carried as well, we would at least have an opportunity to do certain things—but they are only bits and pieces. As was suggested by the thrust of the speech of the right hon. Member for Berwick-upon-Tweed (Mr. Beith), we should vote against the motion.

It has been said that we shall not have enough time to deal with the whole range of amendments. Moreover, in Committee we are entitled to debate clause stand part as well as amendments. I strongly object to the powers to stop and search pedestrians that are contained in clause 1. Other powers, such as the power enabling police as well as customs officers to search freight, strike me as entirely sensible, and I consider it right for us to discuss the possibilities. If it were possible for us to defeat the motion that clause 1 stand part of the Bill, we might be in a different position; but we need time for consideration. If a major section of the Bill were suddenly lost, we should have to give proper scrutiny to what remained. Pushing measures through so hastily constitutes a serious interference with parliamentary procedures and democracy.

Where has the Bill been? Has it been lying around in the files gathering dust? The Home Secretary suggested that it had not. That means that it was cobbled together at the last moment to deal with some crisis, which means that there is an even greater case for a proper, detailed investigation in the House: civil servants and others may

[Mr. Barnes]

not have scrutinised it sufficiently during the drafting process. We need time, and we need to defeat the timetable motion.

5.18 pm

Mr. Tony Banks (Newham, North–West): Legislation that is made on the hoof is invariably poor and defective. I assure the Home Secretary that I do not want to be blown up, either at Easter or at any other time; my constituents do not want to be blown up, and I am sure that he does not want to be blown up either. In fact, my constituents are probably more likely to be blown up than the Home Secretary, as was demonstrated by the cowardly attack that caused the explosion in the east end. Neither my constituents nor I can travel around in bullet-proof, chauffeur-driven limos.

When my hon. Friend the Member for North–East Derbyshire (Mr. Barnes) said that those who opposed the timetable motion or the Bill would be accused of being soft on terrorism, I heard a sedentary "Hear, hear" from one of the limo-occupiers on the Government Front Bench. That is a monstrous suggestion.

I do not want my civil liberties to be blown up either. I cannot agree to the speedy process because, frankly, it is leading the way to repenting at leisure. We are asked to put on the statute book legislation that is not temporary. We all know how the PTA came about. I would not mind what was going on if the Home Secretary told us that the measures would be implemented only for a set period and we could see an end. If measures needed to be passed urgently before Easter, I could understand the point made, but I agree with my hon. Friend the Member for North–East Derbyshire that we do not have to go into recess. Easter does not start until Good Friday. I assume that that is the period that we are talking about. There is not a great deal of important business tabled for tomorrow, and Thursday we are in recess. Why can we not take more time?

Reasonable people will have to be convinced by the Bill. If the Home Secretary can make a good case, why does he have to sacrifice and undermine it by ramming the Bill through the House and the other place? That is why I am uneasy about it. I would like to hear more about the reasoning behind the Bill and have more time to consider it. When dealing with civil liberties, we should not be so ready to be stampeded. There is a whiff of panic in the air, and that gets me. I always feel that the terrorists are winning when we turn ourselves inside out, brush aside all our normal procedures, ram things through, override arguments and deride people who have a contrary point of view. We imprison ourselves, demean our institution, and the terrorist wins when we do such things in the Houses of Parliament.

I cannot agree with the motion. I want far more safeguards, and I want to hear more and have the chance to have a go at the Home Secretary. The Home Secretary said yesterday that the powers of the police would be extended under section 13A of the Prevention of Terrorism (Temporary Provisions) Act 1989

"to enable them to stop and search pedestrians",

and he added:

"The police are fully aware that this new power will need to be exercised with circumspection and sensitivity."—[*Official Report*, 1 April 1996; Vol. 275, c. 35-6.]

I say hear, hear to that.

I repeat that I want to know whether the power will be monitored. Although I understand that it will, will it be monitored according to skin colour? I know what will happen in the east end where I live: Afro-Caribbeans and Asians will be stopped. As far as I am aware, the IRA does not have any people of Afro-Caribbean or Asian descent in its ranks. I do not know that, but I am probably on certain ground in suggesting it, and I want to know whether such safeguards will be written into the Bill. We should be given time to contemplate such matters.

As my hon. Friend the Member for North–East Derbyshire said, the timetable motion is to suit our convenience. Why can we not talk about the Bill on Thursday? If the measures are that important, surely we must give them more consideration; then people would be convinced not only that we were taking the matter seriously but that we were taking our own liberties and rights in the House seriously. I am afraid that, in the circumstances, I shall oppose the guillotine motion and support the Liberal Democrats in the Division Lobby.

5.22 pm

Mr. Clive Soley (Hammersmith): All rushed legislation is bad, and rushed legislation on terrorism is particularly bad because, once again, it allows the terrorist to set the political agenda. My hon. Friend the Member for Newham, North–West (Mr. Banks) made that point very effectively.

As I understand it, the Leader of the House is asking today—it has been talked about over the past day or two—for very specific powers as an addendum to the prevention of terrorism Act. I accept that the Bill is not part of the PTA, with its exclusion orders and its tendency to round people up, question them and then release them without charge. We should not confuse the two, and I am sure that the Home Secretary will want to make that point.

I say to the Leader of the House that the case for the Bill and the motion is quite simple and bald. He is telling the House, and through the House the nation, that the Government have judged that there is a very real threat over the next couple of weeks, and that that threat arises from the ability to carry bombs more easily than before. I cannot help but believe that that judgment arises very understandably from the fear that something that happened on one of the London buses some weeks ago will be repeated. That is a very real and understandable fear, and if the Government presented their case that way, there would be greater understanding of their position.

When the Home Secretary tries to rush such legislation through, he has to have the support and, as it were, the confidence of the House. I must be critical, and I shall measure my words as best I can. I do not think that the Home Secretary has done that well over recent years. I have said on many occasions that I think that the Prime Minister and the Secretary of State for Northern Ireland have acted in relation to Northern Ireland with considerable statesmanship. I have to say that that statesmanship feeling is lacking in the Home Secretary.

My hon. Friend the Member for Bradford, West (Mr. Madden) has made the point on many occasions—and he is right—about the transfer of prisoners. It would not be appropriate to go down that road now, but I shall note, and the House will note, that after the hunger strike the previous Prime Minister, Margaret Thatcher,

introduced in Northern Ireland changes in the prison service that met many of the hunger strikers' demands. That was done to end hunger strikes.

When the Home Secretary seeks the confidence of the House, he must acknowledge that, fairly or unfairly—perhaps I am being unfair—he is seen as being a Home Secretary who, in the Cabinet, has dragged his feet on the peace process. That may be unfair, but he is clearly perceived as having done that, and at times he almost boasts of it in a macho way. Of course people think of the Tory party's Maples memorandum and the Government's attempt to try to divide the Labour party. Perception is not reality, but the Home Secretary must know that in politics, to coin a phrase, perception is nine tenths of reality. The Home Secretary is not perceived as someone who carries confidence as either the Prime Minister or the Secretary of State for Northern Ireland would have done if they had asked the House for such powers.

I think that the Home Secretary could carry the House with him. The Bill would not be a bad part of what I consider to be generally a bad Act. The Bill is not a renewal of the sus law, and if I get the opportunity to say that later, I shall do so. The safeguards in clause 1 are clear in terms of time and place, and only a senior officer can permit certain things to happen. They are not ideal or what I would want, but if the Government judge that there is a danger in the coming weeks and that the police need the powers for that purpose, we can listen to them.

I say to the Home Secretary, please, if he wants such confidence from the House of Commons and if we are to win the battle, for all the reasons that a number of my hon. Friends have pointed out about the dangers of rushing in to meet a terrorist threat—which pleases the terrorists, because they see the British people rushing around abandoning their democratic procedures to get legislation through to deal with the problem that they have created—we have to be rather more sophisticated than we are being at times at present.

I also say to the Home Secretary that I am willing to start again after today. I have made my points today and I think that they are very important. I hope that the right hon. and learned Gentleman takes them on board and that in future he will have no difficulty in carrying the House if he feels that the police need specific powers to deal with a specific crisis for a period.

5.27 pm

Mr. Jack Straw (Blackburn): As my hon. Friend the Member for Dewsbury (Mrs. Taylor) said earlier, and as I made clear in the House yesterday, Parliament has always, and rightly, been very reluctant to allow its normal time scales and procedures to be bypassed. Hasty legislation all too often turns out to be ill drafted and unclear. That is why the House has been jealous in guarding its procedures, which ensure due consideration of any measure. The procedures include a strong convention that two clear weekends should elapse between the tabling of a Bill and its Second Reading, and that there should also be a period for reflection between Second Reading, detailed consideration in Committee, Report and Third Reading.

Those procedures are important in respect of any Bill, however trivial. They are doubly important in respect of Bills that affect an individual's liberty and the public's safety. We all acknowledge, as the right hon. Member for Honiton (Sir P. Emery) said earlier, that the procedures should be foreshortened only in the most exceptional circumstances.

Last Thursday, the Home Secretary asked to see me to seek the official Opposition's co-operation in agreeing the Bill and in getting it through the House today on a guillotine. He gave me the reasons why he had been persuaded of its necessity and why, in his view, it was necessary to pass all its stages by Easter. After our discussion, I told him that I would need to consult my colleagues and that we would let him have our decision by Monday. In the time available, my hon. Friends the Members for Glasgow, Garscadden (Mr. Dewar) and for Redcar (Ms Mowlam) and I consulted as many colleagues—in the shadow Cabinet and outside—as we could. My hon. Friend the Member for Redcar and I sought and received additional security briefings on Monday morning. We then came to the collective view that, although of course we were concerned at the short notice that we had been given, the proposed Bill was a responsible and appropriate reaction to the threat of which we had been made aware.

I told the Home Secretary this, and I also sought from him—and later gained—safeguards additional to those in the draft Bill. We can discuss these safeguards further on Second Reading and in Committee, and we will be able later today to discuss in detail the contents of the Bill. But in coming to a conclusion about the necessity for the guillotine, my colleagues and I examined most closely the powers in the Bill—particularly those in clause 1. We examined how far clause 1 extended the existing section 13A, and we looked at the attitude that we had adopted—as well as the Government—when clause 13A was debated in the Standing Committee on the Criminal Justice and Public Order Bill. We discussed the reasons for the extension and, above all, why it was needed to introduce the extension, along with the other powers, with such speed.

I shall deal with the issues in turn as they affected our judgment on whether the guillotine was necessary. First, we looked at how far new section 13B, in clause 1, would extend the current powers under section 13A. The proposed new section will put the searches of pedestrians on the same basis as searches of vehicle occupants. I must tell my hon. Friends that there are more safeguards for pedestrians than there are for vehicle occupants. I must tell my hon. Friend the Member for North-East Derbyshire (Mr. Barnes) that outer body searches are all that are allowed, and not strip searches.

The power is more circumscribed than that for vehicle occupants, and includes a requirement that if a chief police officer requires the power for more than 48 hours, he must get the approval of the Secretary of State. The Secretary of State's approval can last initially for a further 26 days. No prosecution of any offence arising under the powers can take place without the permission of the Director of Public Prosecutions and, in addition, we have secured safeguards on monitoring. A regular report on the exercise of the powers will also be made to Parliament.

Mr. Madden: What is the difference between the stop-and-search powers that have been in operation in the past month in the City and the Metropolitan police area

[Mr. Madden]

and those proposed in the Bill? How many people have been arrested and charged with terrorist-related crimes as a result of such searches in the past month?

Mr. Straw: I cannot answer the second question because, with great respect, I am only the shadow Home Secretary and not the Home Secretary.

Mr. Tony Banks: It's only a matter of time, Jack.

Mr. Straw: I am grateful to my hon. Friend, who made that sedentary intervention from the Back Benches with his usual good humour.

I must leave the second question asked by my hon. Friend the Member for Bradford, West (Mr. Madden) for the Secretary of State to answer. On his first question, the police currently have the general power to stop and search people with reasonable cause, but they must have reasonable cause before they can effect a stop and search—they cannot develop the reasonable cause while the search is taking place. In addition, the police have the power—under what is now section 13A of the Prevention of Terrorism (Temporary Provisions) Act, following the 1994 addition—to stop and search vehicles, what is in vehicles and what is in articles carried in vehicles. They can then require the occupants—both passengers and driver—to get out of the vehicle, and they can then carry out body searches of those occupants. At the moment, the police can search pedestrians, but only their bags—they cannot search their outer garments, hats or shoes. Proposed section 13B provides for the search of outer garments, hats and shoes of a pedestrian—a limited power, if my hon. Friend thinks about it.

Dr. Norman A. Godman (Greenock and Port Glasgow): In my hon. Friend's discussions with the Home Secretary, did the right hon. and learned Gentleman confirm that, where Scotland is concerned, mentions of "the Secretary of State" in the Bill refer to the Secretary of State for Scotland and not the Home Secretary?

Mr. Straw: I did not discuss that matter with the Secretary of State but, for these purposes, "Secretary of State" means the Home Secretary in England and Wales and the Secretary of State for Scotland in Scotland.

I must say to my hon. Friend the Member for Bradford, West that—as far as I am aware—the current legislation and the Bill contain no power in respect of cyclists. But I note that one of the amendments tabled by my hon. Friends is to extend the stop-and-search powers to cover cyclists. I find that slightly surprising, but no doubt the reason will emerge during our discussions.

Mr. Bennett: Does my hon. Friend accept that one of the purposes of that amendment was to make sure that the Government got the Bill right? Vehicles are referred to in the Bill, but it is not certain whether that covers cycles. If it does not, it illustrates the way in which one does not always get things right by rushing through legislation. Could I press my hon. Friend on one of the key issues? Does the new power conform to the European convention on human rights? As I understand it, a suspicion is needed to justify a search under the terms of the convention.

Mr. Straw: I am grateful for my hon. Friend's explanation about the additional powers to stop cyclists, and we will look at the amendment with interest. He also asked whether the Bill is consistent with the convention that we signed in the early 1950s on human rights in Europe. I assume that it is consistent, because the powers in respect of section 13A have been on the statute book for nearly two years, and I do not think that they have been subject to challenge. In the eyes of the convention, there cannot be any distinction between carrying out an outer body search on an occupant of a vehicle and carrying out an outer body search on a pedestrian.

When the draft Bill was given to us at the end of last week and we had to decide whether it was reasonable to agree to the timetable, one of our main concerns was whether any of the powers contained in clause 1 could conceivably be regarded as a reintroduction of the old sus law. This is a little-known fact, Madam Deputy Speaker, but I used to be one of the world's experts on the sus law. I earned much of my income as a very junior member of the Bar by defending a number of innocent people and—I must say—a number whom I subsequently found out were certainly not innocent against charges of being a suspected person loitering with intent to commit an arrestable offence contrary to section 4 of the Vagrancy Act 1824.

I must tell my hon. Friends that there is no way in which these powers—limited and circumscribed as they are—could conceivably be compared to sus. Let me explain why. Under the 1824 Act, sus created an offence of simply being a suspected person—a person or a suspected thief was the phrase used—loitering with intent to commit an indictable offence. As the police used to say, feeling one car door was not enough, but feeling two was enough to secure a conviction. Moreover, a person's previous convictions were adducible in evidence by the prosecution to prove the offence of intent, even though the arresting officer had not known of those previous convictions when he made the arrest.

The law was a wonderful piece of machinery available to the police basically to pick up anybody whom they did not terribly like. This caused huge concern. I was concerned about it when I was defending many of my clients—whether they turned out to be innocent or not. I managed to secure the acquittal of most of them. But the offence caused great concern and anxiety, especially in the black community. It was entirely right that in 1981, following various reports into the sus law, including a report by the Select Committee on Home Affairs, the House abolished sus and has had nothing to do with it since. There is no way in which the power under section 13A or the power under section 13B could conceivably be compared with sus.

Mr. McNamara: I am most grateful to my right hon. Friend; I am sorry, I should say my hon. Friend. He will shortly be my right hon. Friend.

Mr. Tony Banks: Will he?

Mr. McNamara: Yes, because we shall win the next election.

The point at issue is this. There will be a designated area and, within that area, a constable in uniform may stop any pedestrian and search him. If a pedestrian refuses to be stopped and searched, he will have committed an

offence. If that person is stopped and refuses to do what the policeman says, it will be an offence per se. That is the concern.

Mr. Straw: I understand what my hon. Friend is saying, and I will say more in a moment about the important balance between civil liberties and public safety.

First, the search that would be permitted under section 13B would be less onerous than the search that the House requires of any visitor every day of the week. That is a matter of fact. Secondly, if one has a power, one has to have some means of enforcing it. One cannot just say, "By the way, we would like people to submit to searches, but people who happen to be carrying bombs may be let off." Such people could say, "Sorry, officer, we do not like this." There has to be some means of enforcement and that has to be by way of an offence. In this case, it will be an offence at level 5. Moreover, no one can be prosecuted for this offence except with the approval of the Director of Public Prosecutions.

I do not think that my hon. Friend the Member for Kingston upon Hull, North (Mr. McNamara) is pushing the point about a parallel with sus. The sus laws existed in the days before the Crown Prosecution Service and did not require the approval of the Director of Public Prosecutions or even of the chief solicitor for the area. The station inspector laid the charge and would be up the steps to the court the next morning. The chances were that a person would not be represented, not even by someone of my lowly status, as it was then, and would almost certainly be convicted, especially if the stipendiary knew who the person was. That was one of the major differences, and the many safeguards under the Bill make the provision wholly different from the sus law.

The second issue in deciding whether we would support the guillotine motion was our reaction to the original powers contained in section 13A. As some of my hon. Friends have said, when the clause was debated in Committee in February 1994, we probed the matter, as we had a duty to do, but it was made clear by my hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael), without any opposition from any member of my party or of any other party, either in Committee or on the Floor of the House, that we supported the inclusion of what became section 13A in the Prevention of Terrorism (Temporary Provisions) Act.

The third issue we had to weigh up was why the extension of powers was needed now. In making our judgment, we are obviously in the hands of those on whom we impose heavy responsibilities for the safety of the public—the police and the security forces. But we should not substitute their judgment for ours. Instead, we have to make our own judgments on the basis of the best evidence we are given. My hon. Friends and I listened to the advice offered by those concerned and we formed a judgment that we should accept that advice.

Another issue at which we looked in making a judgment on whether we should accept the guillotine motion was what happened on the only previous parallel occasion—the introduction of the initial prevention of terrorism Bill in November 1974. The Bill passed through all its stages in 17 hours. I say to my hon. Friend the Member for Denton and Reddish (Mr. Bennett), who raised the issue, that it is true that there was no guillotine motion on that day. However, there was—I have the debate here—an agreed business motion which required every stage of the Bill to be completed without the House adjourning. Moreover, my hon. Friend may care to look at the length of the 1974 Bill and the amount of time that was taken. If he looks at the length of this Bill and the total time available now, he may note that there is marginally more time available, clause for clause, on this Bill. The powers in this Bill are far less onerous than the powers in the principal Bill in 1974.

Mr. Beith: Bearing in mind the precedent of 1974, what is to stop us following that procedure and not adjourning the House until we have given proper consideration to the Bill? Even if the hon. Gentleman cannot bring himself to agree to that, why is he resisting the amendment, under which it is proposed that we should have another three hours so that the House can have sufficient time to deal with the detailed points he mentioned?

Mr. Straw: I have read the whole of the 1974 debate and I have read the right hon. Gentleman's contribution, in which he fully supported the prevention of terrorism Bill. I think that he may have been slightly confused about what I said from a sedentary position during his speech. He said that there was a difference about something and I said that I had noticed that there was a difference between a principle and a Liberal. I merely put that on the record.

Whether to deal with this Bill by a guillotine motion or by an agreed business motion was a matter for the Leader of the House. However, I think that he took account of the fact that Easter was approaching and felt that this was an easier and tidier way in which to secure the business here and in the other place. It is a matter of fact that in November 1974, no holiday was pending, unlike now.

Mr. Simon Hughes (Southwark and Bermondsey): As the usual channels were being used, why did the hon. Gentleman not seek the agreement of the Leader of the House by saying that the Opposition would support the Bill provided there could be agreement among all the parties on a business motion that gave adequate time—even if it was necessary to sit through the night—to the satisfaction of both sides?

Mr. Straw: Discussion in these situations are usually led by the Leader of the House or the Secretary of State, with each of the parties. At no stage, as I am informed by my hon. Friend the Member for Dewsbury, have the Liberal Democrats come to us to seek discussions. I know that we made approaches to them. Other things could have been agreed, but we, in the circumstances, do not have a complaint about the guillotine motion. I fully understand that the Liberal Democrats do; we have to take a different view.

I now come to the central issue of our debate, which is the balance between concern for individual liberty and the safety of the public, a matter that has been raised by many of my hon. Friends including my hon. Friend the Member for Kingston upon Hull, North. I found it interesting to read the debate in November 1974 on the prevention of terrorism Bill. On any basis, that Bill introduced far more serious and extensive powers than this Bill, including exclusion orders and many other powers that were

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described, at the time and subsequently, as draconian. Achieving the balance between civil liberties and public safety is difficult. However, I was particularly struck by the contribution by my hon. Friend the Member for Kingston upon Hull, North in the debate on 28 November 1974.

In fully supporting the prevention of terrorism Bill on that occasion, my hon. Friend said that

"we have a right to protect the lives of our constituents . . . We must therefore look for advice to the police, the people to whom we give the power and duty to protect us. We must consider what we can legitimately give them in extra powers so that they can protect us. But we must not forget that those powers are such that normally we would not like to bestow them."

My hon. Friend raised yesterday the issue of police powers. In 1974, he went on to say:

"The police have given their advice"—

to the then Home Secretary—

"and my right hon. Friend has responded to it. In so doing, what he has done is the least he could do."

Dealing with the difficult issue of the balance between civil liberties and public safety, my hon. Friend said:

"It would be most sad, however, if we were to worry now too much about the curtailment of liberties and later to have upon our consciences the deaths of our fellow citizens."—[*Official Report*, 28 November 1974; Vol. 882, c. 699-700.]

My hon. Friend got the balance there exactly right.

Mr. McNamara: My hon. Friend is right about what I said in those circumstances. At that time, I thought that I was doing the right thing. Applying the same criteria that he has adumbrated, I would now reject what was being done. Had I known then what I know now, I would not have voted for that Bill, given its effects on our legal system and the injustices that it has brought.

Mr. Straw: I understand my hon. Friend's point and I will come to it later, but we have to judge what will happen in future. It would be easy to run a country on the basis of hindsight. We must judge what may happen and balance difficult issues.

Some of my hon. Friends may argue that the threat in 1974 was greater than it is now—but how do we know? We know for certain that the Canary wharf bomb could have easily killed or maimed many more people than were killed or injured in Birmingham in 1974. We know that the Aldwych bomb could have killed—and was almost certainly intended to kill—many more people than the terrorist who ended up being killed. We also know, as the Home Secretary told the House yesterday, that the Provisional IRA is using public transport and secreting devices in overcoats, partly to evade the searches that can be conducted under existing prevention of terrorism Act powers. Our best estimate is that it could all happen again—and shortly. In that situation, I believe that we are right to be cautious, take the powers and accept the guillotine.

Of course, all my colleagues and I would have preferred much more time than has been allowed. However, in this situation, and on the information with which we were confronted, we believe that the Bill's response is proportionate to the threat and that the guillotine, although it is to be regretted, is also acceptable.

Like too many hon. Members, I have witnessed the terrible carnage, death and injury that terrorist outrages can cause. We have to balance our rightful concern for the liberty of the subject with the need to protect the public. No civil rights can be exercised from the graveyard and few can be exercised from a hospital bed. In the long run, the only way to end the prospect of terrorism from within the British Isles is by the process of negotiations to which we have given our full support. While the IRA maintains its campaign of violence, we must take appropriate and responsible measures to reduce its effects, as far as that is possible. For those reasons, we shall not stand in the way of the timetable motion and do not accept the amendment moved by the Liberal Democrats.

5.52 pm

Mr. Andrew Mackinlay (Thurrock): I regret that my hon. Friend the shadow Home Secretary spoke at great length without explaining why the Opposition support a guillotine which means that the Bill will go through all its stages in one day. Many of us would accept his judgment, as I do, that he has been given information emphasising the need for urgent action. However, he did not explain why we have to have a truncated parliamentary procedure which does not allow us to examine and probe the Executive as to what is intended. I regret that fact, and I regret having to say it because no doubt the Whips will be noting, "unhelpful intervention by the hon. Member for Thurrock". I want to be clear that on this one issue I am unhappy because I should have thought that Her Majesty's Opposition would at least have said that we needed two days to deal with the Bill.

Mr. Straw *rose—*

Mr. Mackinlay: My hon. Friend spoke at length, but I will give way to him.

Mr. Straw: I wish just to clarify my hon. Friend's point, with which I tried to deal in my speech. One thing that we considered carefully was the precedent set by the last Labour Government—not a Tory Government, but a Labour Government—in respect of the Prevention of Terrorism (Temporary Provisions) Bill in 1974. On that precedent, the simple arithmetic shows that, clause for clause, more time is being allowed for this Bill than was allowed for that one, even though this one's powers are, on any analysis, less extensive than those proposed in the 1974 Bill.

Mr. Mackinlay: I am proud to be a Member of Parliament and we have to start to reassert the capacity of Back-Bench Members to examine proposals. That is our duty. I do not care what happened under past Labour Governments. People may wish to consider what will happen under the next Labour Government, because some of us are not going to be mere sheep.

This procedure is wholly inadequate. In August 1914 and September 1939 there was need for urgent legislation, but more time was made available to examine it than has been given to this. Those were more serious situations than this, though I accept what the Home Secretary and the shadow Home Secretary have said about their having information which underlines the need for urgency.

My argument with them is that the action being taken is too urgent. It is not a price worth paying that we should curtail the proper examination of legislation.

Mr. Rupert Allason (Torbay): Will the hon. Gentleman give way?

Mr. Mackinlay: No, I will not give way.

Not all the police representative bodies have been consulted. The Ministry of Defence Police Federation wrote to the Home Secretary this morning saying that it had not been consulted. I regret that. Will the Home Secretary say whether the chief police officers of all forces have been consulted? I assume that the request to which he referred came from the Association of Chief Police Officers, but other chief police officers not in ACPO should have been consulted as well.

Documents were not available for hon. Members fully to examine the legislation in time. No one could suggest that the majority of hon. Members could have had the opportunity to read the Bill and consult the obvious people with whom they would have liked to discuss it, such as members of the police forces, the police federations and political and civil liberties groups. We have not had time to understand the legislation. If anyone here were to pretend that there has been time, I would dispute it.

Mr. Allason: If the hon. Gentleman wishes to consult someone, he should consult two of my constituents who are still in hospital after the Aldwych bombing. Understandably, they feel strongly, as do my constituents who know those victims, that anything that can be done to avoid a repetition must be worth while.

Mr. Mackinlay: If the hon. Gentleman had been in his place earlier, he would have heard my right hon. Friend the Member for Bethnal Green and Stepney (Mr. Shore) say that things could be misunderstood. I remind him that this motion is not the Bill. If the hon. Gentleman can contain himself, he may discover my attitude to the Bill. This is a timetable motion. Surely he can understand that distinction.

People may misunderstand what we are discussing and there are some who would deliberately mislead them. I am arguing that the House should give proper consideration to legislation rather than bouncing it through ill considered. I pay tribute to the Clerk's Department, which could not cope with all the amendments. That is no criticism of the Clerk's Department. The amendments were not available in draft at the Vote Office until about 1 pm today. It is a charade to suggest that we have been able to study the documents and give them adequate consideration.

My hon. Friend the shadow Home Secretary referred to the Committee stage. As he knows, there is not going to be a proper Committee stage. We shall be able to vote on Government amendments, but not on any which might have been tabled by other hon. Members. That is wrong. It shows how this place is run by the Executive, regardless of the views of Back Benchers, who might have been able to improve the legislation. That would have been in the interests of the constituents of the hon. Member for Torbay (Mr. Allason). I ask him to consider that. It is wrong to assume that the Home Secretary has all the wisdom in this matter. If we are to earn our money, we should be able to improve the legislation.

I also believe that the Bill is badly drafted. May I also suggest, before Second Reading, Madam Deputy Speaker, that the Bill has some hybridity? I will explain why I think that, and I should be grateful if the possibility could be considered in advance of Second Reading. It is because on the face of it, the Bill does not provide for the Ministry of Defence police, the Atomic Energy Authority police, the British Transport police, the Royal Parks constabulary and other such bodies.

I have tabled amendments, but they will not be voted upon because there will not be time. In fairness, however, I must add that the Home Secretary was courteous enough to have a word with me on the subject earlier today. I took that seriously, and appreciated it. The right hon. and learned Gentleman assured me that there was no need for an amendment relating to those other police forces because the reference to "police" on the face of the Bill covered them adequately. If that is so, however—if the judgment of the hon. Member for Thurrock is wrong and that of the Home Secretary is correct—other bodies, such as the privatised police forces, the Northern Ireland airports police and the port of Tilbury police, are also covered as, indeed, are the Epping Forest keepers and the Royal Botanical Parks police. I do not believe that Parliament intends such forces to be included.

With regard to hybridity, if we are to incorporate under the Bill the jurisdiction of privatised police forces, as the Home Secretary argues, I draw the attention of the House to "Erskine May", which says that

"a public bill which affects a particular private interest in a manner different from the private interest of other persons or bodies of the same category or class"

is hybrid. Clearly, if the information that the Home Secretary supplied to me is correct, the Bill will extend powers to private forces, which in my view raises the question of hybridity.

If there is time, I shall wish to press to a Division my amendment to the guillotine motion. The right hon. Member for Berwick-upon-Tweed (Mr. Beith) has rightly sought to extend the period of debate on the Bill, and my amendment would ensure that we would at least have the right to vote on amendments tabled by Back Benchers. It would not, alas, provide for the various amendments to be discussed, but we would at least have the opportunity to vote on them. I venture to suggest that some of them would improve the Bill and add to its quality—to the satisfaction of the constituents of the hon. Member for Torbay.

Surely it is worth spending a few more hours in the Chamber to demonstrate that we have at least been able to deliberate on the Bill and to consider it in full measure.

Mr. Simon Hughes: Will the hon. Gentleman add one more reason to his litany of good reasons why there is no justification for taking all the stages of the Bill in one day? The objectives sought by the constituents of the hon. Member for Torbay (Mr. Allason) could be perfectly well served if we spread our work over two days, or overnight. If amendments are tabled, as they can be, at any time before the end of Second Reading, which will be some hours from now, people will have absolutely no chance to take them away and check objectively whether they are

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valid or invalid, justified or unjustified, and whether advice has been taken. That exactly replicates the worst sort of practice, in which legislation is steamrollered through by Government majority without any chance of proper parliamentary scrutiny of amendments put forward by either side of the House to any part of the Bill.

Mr. Mackinlay: I agree. There was a recent precedent, when we were discussing some of the representations on railway privatisation. Others as well as myself raised the subject of the jurisdiction of the British Transport police. I was scoffed at by those on the Treasury Bench, and there was not a great deal of interest in other quarters either. None the less, amending legislation was subsequently needed; I am sure that the Leader of the House will recognise that as a matter of fact. The powers of the British Transport police had been overlooked by the civil servants, and Ministers had decided to listen to the civil servants rather than to the hon. Member for Thurrock. Extra legislation was needed. The thing was botched; that is a matter of fact.

We are in real danger of doing a disservice to the public, and to the people who have had their liberties grossly infringed by becoming the victims of bombings, if we do not give the legislation proper consideration. That sets a dangerous precedent, so I implore hon. Members to pause and reflect on the fact that we should be seen to sacrifice a few more hours of time in this place, as is our duty, to demonstrate that we have been able to probe and to understand the points that the Home Secretary makes on Second Reading.

As would happen in Committee on any other Bill, the right hon. and learned Gentleman would be able to explain the detail of the legislation. That is not unreasonable. There might then be concord and agreement. But I am not prepared to go along with parliamentary choreography between the occupants of the two Front Benches simply to get the Bill through. It is wrong in principle, and it is extremely unhealthy for democracy.

If such a thing ever happens again—I suspect that in the life of this Parliament other ideas will be conjured up and attempts made to bounce them through quickly—we should ensure that as well as Privy Councillors and Front-Bench Members being consulted, Back-Bench Members and Members from minority parties should be able to table their considered amendments and to feel that they have had their day in court—in the high court of Parliament—to explain and defend their position, or to be satisfied on behalf of their constituents.

I hope that hon. Members will support the amendment moved by the right hon. Member for Berwick-upon-Tweed, and that if there is time—which there probably will not be—we shall be able to extend the facility of being allowed to vote on amendments to the Bill by supporting the amendment that I hope to move later to the timetable motion.

Mr. Madden: On a point of order, Madam Deputy Speaker. Not for the first time, my hon. Friend the Member for Thurrock (Mr. Mackinlay) has raised some important and pertinent matters. I hope that they will not be allowed to drift into the sand, which is always a danger in this place. As regards hybridity, which my hon. Friend mentioned, will it be possible for the Clerks to offer advice to Madam Speaker and for her, at an appropriate stage in our proceedings, to offer the House her advice on whether my hon. Friend's views are correct? It is important that we have Madam Speaker's advice, rather than relying on the Executive, because it is the Executive who may have got us into this mess in the first place.

Mr. Campbell-Savours: Unfortunately, Madam Deputy Speaker, I had to leave the Chamber during the debate, and when I came back at about 4 o'clock I did not intend to speak. However, I now want to lay down one or two markers. I listened to the explanation by the Labour Front-Bench spokesman, my hon. Friend the Member for Blackburn (Mr. Straw), about the distinction between the original legislation involving the vagrancy Acts and—

Madam Deputy Speaker (Dame Janet Fookes): Order. I had assumed that the hon. Gentleman was putting a point of order supplementary to that raised by the hon. Member for Bradford, West (Mr. Madden). Before he continues, I must ask him whether that was correct.

Mr. Campbell-Savours: No, Madam Deputy Speaker, I was not speaking on that particular point.

Madam Deputy Speaker: Then I must deal first with the point made by the hon. Member for Bradford, West. My understanding is that all Bills are scrutinised for hybridity before they appear in this place. I am sure that in the light of the remarks made by the hon. Member for Thurrock (Mr. Mackinlay), further scrutiny will be given, but I have no reason to suppose that there is any difficulty.

Mr. Madden: Further to that point of order, Madam Deputy Speaker. I have every sympathy with the views expressed by my hon. Friend the Member for Thurrock, because I was one of the Members involved last night in trying to table amendments, and I saw the great pressures to which the Table Office was subjected by the way in which the Bill and the other amendments became available at such short notice.

I ask you again, Madam Deputy Speaker, if the matter could be fully investigated, because I have considerable doubts about whether the Clerks had a proper opportunity to consider any aspect of the Bill, let alone its hybridity. I would be grateful if you could confirm that the Clerks will offer their considered advice to Madam Speaker, and that she in turn will offer her advice to the House, in a ruling at an appropriate stage of our proceedings, so that we can all be satisfied as to whether the Bill has been properly and fully considered with a view to hybridity, and whether it is proper to proceed on the basis on which we are being invited to proceed.

Madam Deputy Speaker: I have already made the point that no doubt, in the light of the comments by the hon. Member for Thurrock, scrutiny will again be given. I do not think that we can take the matter further at this point.

Mr. Corbyn: On a point of order, Madam Deputy Speaker. Earlier in the debate, my hon. Friend the Member for Denton and Reddish (Mr. Bennett) and I drew attention to the fact there could potentially be 17 debates

in two hours. We inadvertently misled the House, because the latest selection of amendments shows that there are 23 separate issues to be decided in under two hours. If Divisions are to be called on more than four of those issues, it will clearly be impossible to debate all those issues. I ask you, Madam Deputy Speaker, to examine the situation once again, as it is now bordering on the farcical. We are being asked to debate issues, and there is clearly not enough time to do so.

Madam Deputy Speaker: That is not a point of order for the Chair. The whole purpose of a debate on the timetable is to raise such matters.

6.10 pm

Mr. D. N. Campbell–Savours (Workington): I listened to my hon. Friend the Member for Bradford, West (Mr. Madden) draw a distinction, and I think that what he said sounded very convincing. I am not a rebel—in the sense that, unlike my hon. Friend the Member for Thurrock (Mr. Mackinlay), I do not suggest that I shall be marching through the Lobbies under a Labour Government in any way other than the way the Whips want, in normal circumstances—

Mrs. Ann Taylor: Sign here.

Mr. Campbell–Savours: My view has always been very simple: when we want to argue such matters, we argue them out in the parliamentary Labour party or privately with Ministers. Sometimes one puts the boot in privately as well, because that is how to sort out issues of major controversy. My view is that, whenever possible, one should seek to support one's Government.

I find what is happening tonight very worrying. My hon. Friend the Member for Blackburn (Mr. Straw) was elected as a Member of Parliament at the same time as I was, in 1979. He can remember incidents over the years which have concerned us, particularly in civil liberties debates. The problem is that a Labour Member's mailbag is not just about housing, Inland Revenue, social security and third-world cases—it is often littered with letters from civil libertarian lobbies, because members of such lobbies always come to Labour Members to put the case for civil libertarian positions.

Mr. Simon Hughes: That is not quite true.

Mr. Campbell–Savours: It may be that they go to Liberal Members as well, but they always come to Labour Members. My party has a very proud record on civil libertarian positions, and what we are doing today will not convince the civil libertarian lobby outside the House. They will wonder what Labour was doing.

Mr. Straw: I, too, receive such letters, and I reply to them as best I can. If my hon. Friend wants one paragraph to use in replies to his constituents, I offer him this one. Again it comes from the speech made on 28 November 1974 by my hon. Friend the Member for Kingston upon Hull, North (Mr. McNamara)—in support of the Prevention of Terrorism (Temporary Provisions) Act 1974—and exactly picks up the point made by my hon. Friend the Member for Workington (Mr. Campbell–Savours). He said:

"I believe that we have a prime duty to defend the liberties of our constituents, but a Bill of Rights and a whole volume of liberties are of little value to someone who is 6 feet beneath the ground or someone whose body has been dismembered by a bomb."—[*Official Report*, 28 November 1974; Vol. 882, c. 699.]

That seems to express exactly the dilemma that we face. Of course we are concerned about civil liberties, but we are also concerned about the safety of the public.

Mr. Campbell–Savours: I would have no trouble at all in including that paragraph in every response that I send to my constituents. The question is simply whether this Bill should go through today. This is not a case in which we are trying to delay the legislation or in which many of us disagree fundamentally with the legislation: we simply believe that there is a lack of opportunity to scrutinise it fully.

Scrutiny is not merely for the benefit of hon. Members; it is also for the benefit of people who study *Hansard*. There will no doubt be students in the future who want to consider what happened in the House of Commons when this Bill was passed, particularly if the Bill has a wider impact and affects groups other than those that the Home Secretary has in mind. People in the future might say that it was wrong for us simply to treat this legislation in an abbreviated procedural form because in doing so we denied the wider population the right to know what was in hon. Members' minds when they considered it.

If it is true that there are 20-odd amendments—

Mr. Tony Banks: There are 23 amendments.

Mr. Campbell–Savours: If there are 23 amendments which should have been considered, surely the House could have spent 24 hours considering them. I say that as someone who is, in principle, supportive of what is going through the House. I am not opposed to what Labour Front Benchers are doing, but I am worried that we shall stand accused at some future stage of not meeting the expectations of a civil libertarian lobby outside the House, which—if I may put it bluntly—expects a little more of my hon. Friends.

6.14 pm

The Secretary of State for the Home Department (Mr. Michael Howard): I begin by thanking my right hon. Friend the Member for Honiton (Sir P. Emery) and my hon. Friends the Members for Spelthorne (Mr. Wilshire) and for Eltham (Mr. Bottomley) for their support for this timetable motion. I am grateful to the hon. Members for Dewsbury (Mrs. Taylor) and for Blackburn (Mr. Straw) for saying that they will not stand in the way of the Bill and for their confirmation that they will not vote against the timetable motion.

The right hon. Member for Berwick–upon–Tweed (Mr. Beith) and some other Opposition Members suggested that we should proceed at a slower pace, and he indicated why he would oppose the motion. I accept that he would like more time to consider the Bill's provisions, but there is an urgent need for them.

In his remarks, the right hon. Member for Berwick–upon–Tweed managed both to minimise and to exaggerate the nature of the provisions. He minimised them when he said that they are simply technical provisions and that the police already carry out the activities provided for by the

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Bill. There may be some argument about that in relation to the two provisions for which there are currently common law powers, but those common law powers—the powers to impose a cordon and to impose parking restrictions—are uncertain. The point does not apply to this legislation because it does not apply to the other three extra powers contained in the Bill.

I believe that the right hon. Gentleman for Berwick-upon-Tweed was exaggerating the proposals' significance when he embarked on his comparison between them and the original Prevention of Terrorism (Temporary Provisions) Bill of 1974. I endorse the analysis made by the hon. Member for Blackburn on the size of that Bill as compared to the size of this Bill and his conclusion that such an analysis would reveal that more time was available for consideration of the provisions of this Bill than there was for that Bill.

There is, however, a further point that is of infinitely greater importance. The Prevention of Terrorism (Temporary Provisions) Bill of 1974 was genuinely breaking new ground and really did involve new matters of principle that had not previously been considered by the House. It was put before the House as a new response to an unprecedented threat, and the House had to consider it on that basis. These powers do not fall into anything like that category and there is no new question of principle raised by this Bill.

If we examine the power that has given rise to the greatest controversy—the power to stop and search pedestrians—it is to fill a lacuna in the law whereby the police have the power, when a senior police officer has designated a particular area for a particular time, to stop and search the occupant of a vehicle or to stop a pedestrian and to search his bag, but whereby they do not have the power to search a pedestrian's jacket pocket. As we all know, it is extremely easy to fit inside that jacket pocket a device that may be small but whose effect is immensely potent and could cause enormous damage. I have said that the power to search fills a lacuna, so I believe that it is impossible for any hon. Member in any part of the House to suggest that any real question of principle is involved in the provision of that power, which represents a modest extension.

Mr. Tony Banks: My question might be more appropriate for Second Reading, but, in the event of that power being exercised and statistics being kept, can the Home Secretary tell me whether they will be kept on the basis of ethnic origin? Will we know the skin colour of the person who has been stopped?

Mr. Howard: All the monitoring provisions that currently apply under the Police and Criminal Evidence Act 1984 will apply under the Bill. Monitoring, including ethnic monitoring, will take place, so I believe that the hon. Gentleman's concerns are wholly met.

Dr. Godman: I have a number of concerns about the Bill, one of which is that, at first glance, I believe that the right hon. and learned Gentleman has offered us an incorrect interpretation of the role of the procurator fiscal in criminal investigations and proceedings. That needs to be looked at again.

Mr. Howard: I confess that I venture into Scottish law with a good deal of trepidation. If the hon. Gentleman would care to provide us with more detail of his concerns, outside the Chamber if he likes, about the role of the procurator fiscal, I assure him that we will certainly look into the matter.

Mr. Andrew Hunter (Basingstoke): My right hon. and learned Friend has stressed that no new principle is involved in clause 1 as it relates to section 13A of the Prevention of Terrorism (Temporary Provisions) Act 1989. Does he also agree that the substance of clause 1 can be found in the Northern Ireland (Emergency Provisions) Act 1991 and that therefore its basic principle has been debated by the House every year since the 1991 Act came into being? That confirms my right hon. and learned Friend's argument that clause 1 will implement nothing new in principle.

Mr. Howard: My hon. Friend is right. All the powers, save one, in the Bill have been in existence in Northern Ireland for some considerable time, so they are certainly not new in any sense to the United Kingdom.

Mr. Simon Hughes: The Home Secretary is a lawyer and he knows as well as I do that one of the most controversial matters ever to come before the courts has been the detailed legislation on stop and search and related powers. They have been the subject of a great legal argument, much controversy and many legal appeals. Instead of spending six hours in total debating a Bill of several clauses, many of which contain many subsections, and many groups of amendments, what is the argument to stop the House of Commons of the United Kingdom from taking a further 12 hours or 18 hours, if that is the will of Parliament, to complete its considerations? What is the argument against us using the time between now and the recess to the full and sitting through the night, as we have done on many occasions in the past, to make sure that the legislation is properly scrutinised?

Mr. Howard: That question was answered by my right hon. Friend the Leader of the House when he introduced the timetable motion: it is a question of balance. We want the powers in the Bill on the statute book as soon as possible. We believe that they have a part to play in the more effective prevention of terrorism and that they have the potential to save life. In those circumstances, I believe that it is incumbent upon the House to proceed with all due dispatch and to deal with the matter expeditiously, so that it can be considered in another place before the Easter recess, and so that the police can have those powers available to them.

Mr. Beith: The police have been raising this matter for ages.

Mr. Howard: If I heard the right hon. Gentleman correctly, he said from a sedentary position that we have taken ages. He said earlier that the Bill had been gathering dust on the shelf at the Home Office for a long time and suggested that the powers had been asked for years ago. That is not the case. As my right hon. Friend the Leader of the House said earlier, Ministers came to a conclusion about the need for those powers last week. In fact, Ministers came to a conclusion about that on Thursday.

I sent a message out from the meeting at which that decision was made to invite the right hon. Member for Berwick-upon-Tweed, the hon. Member for Blackburn and the spokesmen for all the other Opposition parties to meet me on that day so that I could communicate to them at the earliest opportunity the decision that the Government had reached and the way in which we hoped to proceed. We proceeded at the earliest possible moment. I may have explained that in slightly less detail in my statement yesterday, and I am happy to supply hon. Members with that greater detail today.

Mr. Beith: The one question that the right hon. and learned Gentleman has not answered is: when did the police first ask him for those powers?

Mr. Howard: I specifically explained that yesterday. In the course of the discussions that I had with the police in the aftermath of the South Quay bomb, the need for those additional powers evolved and was identified.

Mr. Mackinlay: When?

Mr. Howard: There was no precise moment. The discussions continued with the police in parallel with discussions that I was having with ministerial colleagues. Opposition Members may shake their heads in disbelief, but I fear that that only reinforces and confirms their utter ignorance of the processes of government. I have been endeavouring to adopt a non-partisan approach to the debate.

Mr. Beith: It is a struggle.

Mr. Howard: Yes, sometimes it is a struggle, as the right hon. Gentleman suggests.

Such is the history of how matters evolved. Let me say to the right hon. Member for Berwick-upon-Tweed and other hon. Members that I contacted the spokesmen for the Opposition parties at the earliest possible moment that I could have done after Ministers had reached a decision, and I came to the House at the earliest possible moment thereafter.

Mr. Simon Hughes: I have just one more question on the matter. Will the Home Secretary say clearly to the House when the police first discussed the matter with him? We have reason to believe that it was some significant time before the Canary wharf bomb. Those matters may have been discussed more recently, but it is understood that they have been under discussion between the police and the Home Office for many months. Is the Home Secretary denying that, and if so, will he do so at the Dispatch Box, in front of the House?

Mr. Howard: The powers were the subject of discussion between me and the police in the aftermath of the South Quay bomb. That is right.

Mr. Hughes: And before?

Mr. Howard: The powers were the subject of discussion between me and the police in the aftermath of the South Quay bombing—

Mr. Hughes: Not before?

Mr. Howard: Not before the South Quay bomb. I had discussions about the powers with the police after the bomb. That is when they took place. That is the answer to the hon. Gentleman.

Mr. Tony Banks: To hear this Home Secretary talk about being non-partisan is very scary. The Home Secretary keeps on talking about "my discussions with the police", so will he tell us, if he has not already done so, which particular police officers were involved and which organisation?

Mr. Howard: I will not identify particular police officers, but I can tell the hon. Gentleman and the House that I discussed those matters with the senior police officer who has particular responsibility within the police service for dealing with the terrorist threat. That is the appropriate person with whom to have such discussions.

Mr. McNamara: The right hon. and learned Gentleman has said that he discussed these matters after the South Quay bomb. Can he tell the House whether representatives of his Department and his officials discussed those powers with the police before that bomb? That is point behind hon. Members' questions. Those powers were an issue before the bomb and were the subject of discussions with his Department, if not with him or his junior Ministers.

Mr. Howard: Obviously, I have to be careful in what I say at the Dispatch Box. To my knowledge, discussions of the kind to which the hon. Gentleman referred did not take place. The discussions to which I referred—which took place between me and senior police officers charged with the responsibility of combating terrorism—did not emerge from discussions at official level. To my knowledge, the discussions were not the culmination of previous discussions at official level—the discussions evolved during my discussions with the police officers. That is the most complete answer that I can give to the hon. Gentleman and to the House.

Mr. Madden: I ask the Home Secretary for some facts on which we may be able to form a judgment about the need for the additional powers. First, will he tell us—over whatever is the most convenient period—how many people have been arrested and charged with terrorist-related offences in Northern Ireland, where stop-and-search powers have applied for many years, as he has just confirmed? Secondly, how many people have been arrested and charged in the City and in the Metropolitan police area under the existing stop-and-search powers in the past month?

Mr. Howard: With respect to the hon. Gentleman, I think that those questions are more precisely related to the need for the powers—which I hope we will be discussing later this evening. He was courteous enough to give me notice that he wished to ask a question of that kind and later in the debate I shall do my best to provide as much information as I can in relation to that point.

We were discussing the limited nature of the stop-and search-power, which has been the most controversial of the powers that the Bill provides. I make no claim to the kind of expertise in the sus law to which the hon. Member for Blackburn laid claim—I cannot match his expertise in that field. However, I feel that he gave the House a clear and absolutely compelling analysis of the differences between this power and the sus law. They are completely different. It is completely misleading to suggest to the House, and far more to people outside the House, that the Bill in any way brings back the sus law. It is a completely

[Mr. Howard]

different and much more limited power, hedged around with safeguards that were acknowledged by the hon. Gentleman.

It is quite clear that there is a need for the powers—and I think that even many hon. Members who spoke in opposition to the timetable motion acknowledged that. The need for these powers is urgent. As was said by a number of contributors to the debate—notably in a powerful intervention by my hon. Friend the Member for Cheadle (Mr. Day)—the greatest civil liberty to which our constituents aspire, and the civil liberty which we in this House should do most to protect, is the civil liberty not to be blown up by a terrorist bomb and not to be shot by a terrorist bullet.

The police need these powers as a matter of urgency to more effectively protect those civil liberties of our constituents. It is on that basis that I commend the timetable motion to the House.

6.33 pm

Mr. Beith: I remind hon. Members that the choice before them is whether to debate this matter on the basis on which each group of amendments will receive no more than five minutes' debate, which will not allow time for Divisions, or whether we will have an additional three hours in which to ensure that the powers are on the statute book well within the timetable outlined by the Home Secretary. The choice before hon. Members is not whether they deny the police powers that will save lives, but whether we work out these powers carefully enough to ensure that they are helpful, and that civil liberties are safeguarded, and have an additional three hours—no more—to do so. That is the subject on which I now invite hon. Members to support me in my amendment.

Question put, That the amendment be made:—

The House divided: Ayes 47, Noes 261.

Division No. 92] **[18.33 pm**

AYES

Abbott, Ms Diane
Ashdown, Rt Hon Paddy
Banks, Tony *(Newham NW)*
Barnes, Harry
Beith, Rt Hon A J
Benn, Rt Hon Tony
Bennett, Andrew F
Bruce, Malcolm *(Gordon)*
Burden, Richard
Canavan, Dennis
Chidgey, David
Clwyd, Mrs Ann
Cohen, Harry
Corbett, Robin
Corbyn, Jeremy
Cunningham, Roseanna
Dafis, Cynog
Davies, Chris *(L'Boro & S'worth)*
Davis, Terry *(B'ham, H'dge H'l)*
Ewing, Mrs Margaret
Gerrard, Neil
Godman, Dr Norman A
Grant, Bernie *(Tottenham)*
Jones, Lynne *(B'ham S O)*
Kennedy, Charles *(Ross,C&S)*
Lewis, Terry
Livingstone, Ken
Loyden, Eddie
Lynne, Ms Liz
McGrady, Eddie
Mackinlay, Andrew
McNamara, Kevin
Madden, Max
Maddock, Diana
Mahon, Alice
Marshall, Jim *(Leicester, S)*
Michie, Bill *(Sheffield Heeley)*
Pike, Peter L
Rendel, David
Salmond, Alex
Sedgemore, Brian
Skinner, Dennis
Steel, Rt Hon Sir David
Tyler, Paul
Wallace, James
Wareing, Robert N
Wise, Audrey

Tellers for the Ayes:
Mr. Simon Hughes and
Mr. Nigel Jones.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alexander, Richard
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkins, Rt Hon Robert
Atkinson, Peter *(Hexham)*
Banks, Matthew *(Southport)*
Bates, Michael
Batiste, Spencer
Beggs, Roy
Bellingham, Henry
Beresford, Sir Paul
Biffen, Rt Hon John
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Burt, Alistair
Butcher, John
Butler, Peter
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Cash, William
Channon, Rt Hon Paul
Chapman, Sir Sydney
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Congdon, David
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Duncan Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garnier, Edward
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorst, Sir John
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Hamilton, Rt Hon Sir Archibald
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Heseltine, Rt Hon Michael
Hicks, Robert
Hill, James *(Southampton Test)*
Horam, John
Howard, Rt Hon Michael
Howell, Rt Hon David *(G'dford)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Kellett-Bowman, Dame Elaine
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas

MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Maitland, Lady Olga
Major, Rt Hon John
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Martin, David *(Portsmouth S)*
Merchant, Piers
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Molyneaux, Rt Hon Sir James
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Ottaway, Richard
Paice, James
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Londonderry)*
Rowe, Andrew *(Mid Kent)*
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shepherd, Sir Colin *(Hereford)*
Shersby, Sir Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Smyth, The Reverend Martin
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trimble, David
Trotter, Neville
Twinn, Dr Ian
Viggers, Peter
Walden, George
Walker, A Cecil *(Belfast N)*
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Derek Conway and
Mr. Simon Burns.

Question accordingly negatived.

It being three hours after the commencement of proceedings, MR. DEPUTY SPEAKER *put the Question necessary to dispose of the proceedings, pursuant to Standing Order No. 81.*

Main Question put:—

The House divided: Ayes 256, Noes 44.

Division No. 93] **[18.47 pm**

AYES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alexander, Richard
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkins, Rt Hon Robert
Atkinson, Peter *(Hexham)*
Banks, Matthew *(Southport)*
Bates, Michael
Batiste, Spencer
Beggs, Roy
Bellingham, Henry
Beresford, Sir Paul
Biffen, Rt Hon John
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Burt, Alistair
Butcher, John
Butler, Peter
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Cash, William
Channon, Rt Hon Paul
Chapman, Sir Sydney
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Ru'clif)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Douglas-Hamilton, Lord James
Duncan Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garnier, Edward
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorst, Sir John
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Hamilton, Rt Hon Sir Archibald
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Heseltine, Rt Hon Michael
Hicks, Robert
Hill, James *(Southampton Test)*
Horam, John
Howard, Rt Hon Michael
Howell, Rt Hon David *(G'dford)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Kellett-Bowman, Dame Elaine
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
Maitland, Lady Olga
Major, Rt Hon John
Malone, Gerald
Mans, Keith
Marland, Paul
Martin, David *(Portsmouth S)*
Merchant, Piers
Mills, Iain

Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Molyneaux, Rt Hon Sir James
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Ottaway, Richard
Paice, James
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Londonderry)*
Rowe, Andrew *(Mid Kent)*
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shepherd, Sir Colin *(Hereford)*
Shersby, Sir Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Smyth, The Reverend Martin
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Trend, Michael
Trimble, David
Trotter, Neville
Twinn, Dr Ian
Viggers, Peter
Walden, George
Walker, A Cecil *(Belfast N)*
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim

Tellers for the Ayes:
Mr. Simon Burns and
Mr. Patrick McLoughlin.

NOES

Abbott, Ms Diane
Banks, Tony *(Newham NW)*
Barnes, Harry
Beith, Rt Hon A J
Benn, Rt Hon Tony
Bennett, Andrew F
Bruce, Malcolm *(Gordon)*
Burden, Richard
Canavan, Dennis
Chidgey, David
Clwyd, Mrs Ann
Cohen, Harry
Corbett, Robin
Corbyn, Jeremy
Cunningham, Roseanna
Davis, Terry *(B'ham, H'dge H'l)*
Ewing, Mrs Margaret
Gerrard, Neil
Godman, Dr Norman A
Grant, Bernie *(Tottenham)*
Jones, Lynne *(B'ham S O)*
Kennedy, Charles *(Ross,C&S)*
Lewis, Terry
Livingstone, Ken
Loyden, Eddie
Lynne, Ms Liz
McGrady, Eddie
Mackinlay, Andrew
McNamara, Kevin
Madden, Max
Maddock, Diana
Mahon, Alice
Marshall, Jim *(Leicester, S)*
Michie, Bill *(Sheffield Heeley)*
Pike, Peter L
Rendel, David
Salmond, Alex
Sedgemore, Brian
Skinner, Dennis
Steel, Rt Hon Sir David
Tyler, Paul
Wallace, James
Wareing, Robert N
Wise, Audrey

Tellers for the Noes:
Mr. Simon Hughes and
Mr. Nigel Jones.

Question accordingly agreed to.

Resolved,

That the following provisions shall apply to the proceedings on the Prevention of Terrorism (Additional Powers) Bill:—

Second Reading, Committee, Report and Third Reading

1.—(1) The proceedings on Second Reading, in Committee and on Consideration and Third Reading of the Bill shall be completed at this day's sitting.

(2) The proceedings on Second Reading shall be brought to a conclusion three hours after their commencement.

(3) The proceedings in Committee shall be brought to a conclusion two hours after their commencement.

(4) The proceedings on Consideration and Third Reading shall be brought to a conclusion three hours after the commencement of the proceedings in Committee.

(5) When the Bill has been read a second time it shall, notwithstanding the provisions of Standing Order No. 61 (Committal of Bills), stand committed to a Committee of the whole House without any question being put and the Speaker shall forthwith leave the chair whether or not notice of an Instruction has been given.

(6) On the conclusion of the proceedings in Committee the Chairman shall report the Bill to the House without putting any Question and, if he reports the Bill with Amendments, the House shall proceed to consider the Bill as amended without any Question being put.

(7) No Motion shall be made to alter the order in which proceedings in Committee or on Consideration of the Bill are taken.

Conclusion of proceedings

2.—(1) This paragraph applies in relation to any proceedings on the Bill which are to be brought to a conclusion in accordance with paragraph 1.

(2) For the purpose of bringing to a conclusion any proceedings which have not previously been brought to a conclusion, the Chairman or Speaker shall forthwith put the following Questions (but no others)—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed;

(c) the Question on any amendment moved or Motion made by a Minister of the Crown;

(d) any other Question necessary for the disposal of the business to be concluded;

and on a Motion so made for a new Clause or a new Schedule, the Chairman or the Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

(3) Proceedings under sub-paragraph (2) shall not be interrupted under any Standing Order relating to the sittings of the House.

(4) If at this day's sitting a Motion for the Adjournment of the House under Standing Order No. 20 (Adjournment on specific and important matter that should have urgent consideration) stands over to Seven o'clock and proceedings to which this Order applies have begun before that time—

(a) that Motion shall stand over until the conclusion of any proceedings which, under this Order, are to be brought to a conclusion at or before that time; and

(b) the bringing to a conclusion of any proceedings which, under this Order, are to be brought to a conclusion after that time, shall be postponed for a period equal to the duration of the proceedings on that Motion.

Lords Amendments

3. The proceedings on Consideration of any Lords Amendments shall be completed at the sitting on 3rd April and, if not previously brought to a conclusion, shall be brought to a conclusion one hour after the commencement of those proceedings.

4.—(1) For the purpose of bringing any proceedings to a conclusion in accordance with paragraph 3 above—

(a) the Speaker shall first put forthwith any Question which has already been proposed from the Chair and not yet decided and, if that Question is for the amendment of a Lords Amendment, shall then put forthwith the Question on any further Amendment of the said Lords Amendment moved by a Minister of the Crown and on any Motion made by a Minister of the Crown, That this House doth agree or disagree with the Lords in the said Lords Amendment or, as the case may be, in the said Lords Amendment as amended;

(b) the Speaker shall then designate such of the remaining Lords Amendments as appear to the Speaker to involve questions of Privilege and shall—

(i) put forthwith the Question on any Amendment moved by a Minister of the Crown to a Lords Amendment and then put forthwith the Question on any Motion made by a Minister of the Crown, That this House doth agree or disagree with the Lords in their Amendment, or as the case may be, in their Amendment as amended;

(ii) put forthwith the Question on any Motion made by a Minister of the Crown, That this House doth disagree with the Lords in a Lords Amendment;

(iii) put forthwith, with respect to all of the Amendments designated by the Speaker which have not been disposed of, the Question, That this House doth agree with the Lords in those Amendments; and

(iv) put forthwith the Question, That this House doth agree with the Lords in all the remaining Lords Amendments;

(c) as soon as the House has agreed or disagreed with the Lords in any of their Amendments, or disposed of an Amendment relevant to a Lords Amendment which has been disagreed to, the Speaker shall put forthwith a separate Question on any other Amendment moved by a Minister of the Crown relevant to that Lords Amendment.

(2) Proceedings under this paragraph shall not be interrupted under any Standing Order relating to the sittings of the House.

Stages subsequent to first Consideration of Lords Amendments

5.—(1) The proceedings on any further Message from the Lords on the Bill shall be brought to a conclusion one hour after their commencement.

(2) For the purpose of bringing those proceedings to a conclusion—

(a) the Speaker shall first put forthwith any Question which has already been proposed from the Chair and not yet decided, and shall then put forthwith the Question on any Motion made by a Minister of the Crown which is related to the Question already proposed from the Chair;

(b) the Speaker shall then designate such of the remaining items in the Lords message as appear to the Speaker to involve questions of Privilege and shall—

(i) put forthwith the Question on any Motion made by a Minister of the Crown on any item;

(ii) in the case of each remaining item designated by the Speaker, put forthwith the Question, That this House doth agree with the Lords in their Proposal; and

(iii) put forthwith the Question, That this House doth agree with the Lords in all the remaining Lords Proposals.

(3) Proceedings under this paragraph shall not be interrupted under any Standing Order relating to the sittings of the House.

Business Committee

6. Standing Order No. 80 (Business Committee) shall not apply to this Order.

Dilatory Motions

7. No dilatory Motion with respect to, or in the course of, the proceedings on the Bill shall be made except by a Minister of the Crown, and the Question on any such Motion shall be put forthwith.

Extra time

8. Paragraph (1) of Standing Order No. 14 (Exempted business) shall apply to proceedings on the Bill.

Supplemental orders

9.—(1) The proceedings on any Motion made by a Minister of the Crown for varying or supplementing the provisions of this Order shall, if not previously concluded, be brought to a conclusion one hour after they have been commenced, and paragraph (1) of Standing Order No. 14 (Exempted business) shall apply to those proceedings.

(2) If at any day's sitting the House is adjourned, or if the sitting is suspended before the time at which any proceedings are to be brought to a conclusion under this Order, no notice shall be required of a Motion made at the next sitting by a Minister of the Crown for varying or supplementing the provisions of this Order.

Saving

10. Nothing in this Order prevents any proceedings to which this Order applies from being taken or completed earlier than is required by this Order.

Recommittal

11.—(1) References in this Order to proceedings on consideration or proceedings on Third Reading include references to proceedings at those stages, respectively, for, on or in consequence of, recommittal.

(2) No debate shall be permitted on any Motion to recommit the Bill (whether as a whole or otherwise), and the Speaker shall put forthwith any Question necessary to dispose of the Motion, including the Question on any amendment moved to the Question.

Prevention of Terrorism (Additional Powers) Bill

Order for Second Reading read.

Mr. Deputy Speaker (Mr. Michael Morris): I have to announce that Madam Speaker has selected the amendment in the name of the hon. Member for Kingston upon Hull, North (Mr. McNamara).

6.59 pm

The Secretary of State for the Home Department (Mr. Michael Howard): I beg to move, That the Bill be now read a Second time.

When I gave notice to the House yesterday of my intention to introduce the Bill, I spoke of my anger and sorrow that the emergency powers continue to be needed, but they are needed to defend and protect our citizens from terrorists who seek to dominate, disrupt and destroy our peaceful way of life. The Bill provides additional practical powers to strengthen the ability of the police to protect the public against the threat from terrorism.

The House—and those whom we represent here—was shocked and appalled by the way in which the IRA signalled its return to violence on 9 February. Its actions that night, resulting in death and injury, shattered the hopes of the British people that the peace might be a lasting one. The door to peace nevertheless remains open. A date has been set for all-party talks. The necessary steps to establish the elective process for entry into those talks are under way. Sinn Fein-IRA has yet to seize the opportunity to take part, but the peace process will go forward—with or without that organisation.

We continue to hope for the best, but we must prepare for and guard against the worse so that we can deal effectively with whatever may come. We continue to face a serious threat from terrorism. The need to maintain our existing defences is beyond question. That is why three weeks ago I asked the House to renew the provisions of the prevention of terrorism Act for a further 12 months, but I now believe that we need to do more.

I have kept in close contact with the police since the South Quay bomb. I was determined to ensure that they had all the powers that they needed to combat terrorism and protect the public. I have concluded that additional powers are now necessary. The Bill will provide those powers.

The Bill makes a number of amendments to the prevention of terrorism Act. Each will clarify and strengthen the powers of the police, reinforcing their ability to protect the public against the IRA and other terrorists. The Bill will enable the police to stop and search pedestrians for articles that can be used in the commission, preparation or instigation of terrorist acts; search non-residential premises for evidence that will be of value to a terrorist investigation; search unaccompanied freight in ports; cordon off areas to look for a bomb or to collect forensic evidence after a bomb has been found or has exploded; and impose temporary parking restrictions in response to a general threat to vulnerable sites, such as Government buildings.

Mr. D. N. Campbell-Savours (Workington): Are there circumstances other than those involving Northern Ireland in which the Home Secretary can envisage the powers to which he has just referred being used?

Mr. Howard: The purpose of the powers is to enable the police to combat all terrorism effectively. It is conceivable that a terrorist threat from another source, related to another matter, could cause the police to regard the exercise of those powers as desirable. I would certainly not wish to exclude that possibility.

Mr. Patrick Nicholls (Teignbridge): What is proposed, albeit in limited circumstances, is a stop-and-search power. Those of us who voted for the Police and Criminal Evidence Act 1984—I served on the Standing Committee that considered PACE—feel that the balance of power is too much in favour of the criminal. If my right hon. and learned Friend is prepared to consider a stop-and-search power in the current circumstances, is it not time to reconsider PACE, bearing in mind the fact that we are 10 years on and that the powers in that measure need to be reviewed? He could then invite the Labour party to join us on that as well.

Mr. Howard: That is no part of today's proposals. I hope that my hon. Friend will forgive me if I do not join him in speculating about the possibilities that he has attempted to put before me.

Mr. Max Madden (Bradford, West): Perhaps this is an opportune moment for me to ask the question of which I gave the Secretary of State's office notice this morning and earlier in today's proceedings. How many people in the City and the Metropolitan police area have been arrested and charged with terrorist-related offences under the existing stop-and-search powers? How many people in Northern Ireland, where stop-and-search powers have applied for some years, have been arrested and charged with and convicted of offences related to terrorism?

Mr. Howard: I do not have the figures for Northern Ireland at present and I am not certain that I shall have them today. I shall certainly let the hon. Gentleman have them as soon as they are available.

The hon. Gentleman has asked a series of detailed questions about the use of the existing section 13A powers by the Metropolitan police. The figures are as follows: in the five Metropolitan police areas, there have been 1,746 vehicle stops under the power; there have been 8,142 vehicle stops within the Heathrow perimeter; there have been 1,695 searches of vehicles within the Metropolitan police area and 6,854 within the Heathrow perimeter; 2,373 persons have been searched as occupants of a vehicle within the Metropolitan police area and 40 within the Heathrow perimeter. That has led to two arrests under the prevention of terrorism Act and 66 other arrests. I hope that I have been able to answer the hon. Gentleman's questions, at least in part.

Rev. Martin Smyth (Belfast, South): The use of stop-and-search powers in Northern Ireland has diverted would-be terrorists from their task. In addition, people have been apprehended and weapons have been found.

Mr. Howard: The hon. Gentleman is absolutely right in his analysis. The number of arrests does not present the whole picture. The value of the power extends far beyond the number of arrests. Those who have experience of its use, such as those whom the hon. Member for Belfast, South (Rev. Martin Smyth) and his colleagues represent in the House, are fully aware of the value of that power in Northern Ireland.

Mr. Campbell-Savours: Will the Home Secretary be a little more explicit in his reply to the hon. Member for Teignbridge (Mr. Nicholls)? The hon. Gentleman asked about further extending PACE and the Secretary of State replied that he felt that it was not part of the Bill and that therefore he could not reply specifically. Is he ruling out for the rest of this Parliament the recommendation that the hon. Gentleman made in his intervention?

Mr. Howard: I have no plans at the moment to go along the road that my hon. Friend invited me to travel with him, but in the context of today's debate I am not ruling in or out other changes to the criminal law and our system of criminal justice. I certainly agree with the general point made by my hon. Friend that the balance in our criminal justice system has tilted much too far in favour of the criminal and away from the protection of the public. We have taken a number of measures to remedy that in the past few years and I have plans, which I shall announce shortly, further to improve that balance. I have no plans to introduce the particular remedy that my hon. Friend suggested.

Mr. Neil Gerrard (Walthamstow): The Home Secretary told us that two arrests were made under the stop-and-search powers in the PTA. Were charges laid and, if so, what were they and were there any convictions?

Mr. Howard: I cannot give the hon. Gentleman that information. I am sure that he has been listening attentively to the debate, so I remind him of my exchange with the hon. Member for Belfast, South, which clearly reinforced the proposition that the value of the powers is not simply to be derived from an examination of the statistics.

Each of the new provisions will make a difference. Each is designed to ensure that the police will be better equipped to protect and safeguard the public, and to combat terrorism. I have, as I said yesterday and earlier today, discussed my proposals with Opposition spokesmen. I welcome the support of the hon. Members for Upper Bann (Mr. Trimble) and for North Antrim (Rev. Ian Paisley). I very much welcome the recognition by the hon. Member for Blackburn (Mr. Straw) of the need to act quickly.

Mr. Tony Benn (Chesterfield): New section 13B(2) suggests that searching may be carried out when there is a suspicion of the instigation of acts of terrorism. Would "instigation" include written material containing political objectives which, it might be argued before a court, constituted an instigation to terrorism? What does the phrase mean? "Instigation" has a political flavour of a wholly different character from the other acts referred to.

Mr. Howard: Whether the possession of written material might constitute evidence of instigation would depend on the nature of the written material; in the end it would be a matter for the court to determine. It would clearly have to be more than political propaganda, which would not amount to an instigation to terrorism. But there could be written material that showed that someone was involved in encouraging others to commit terrorist acts, or something of that kind. That might well involve the instigation of terrorism—

Mr. Benn: But instigation has many meanings. If someone writes a pamphlet, or has pamphlets on him, containing the argument that Britain should not be in Northern Ireland, and if that pamphlet were distributed, might it be held, in the Home Secretary's view, that the very presentation of the arguments in the pamphlet would instigate some people to terrorist acts? The right hon. and learned Gentleman must be clear about that.

Mr. Howard: I can be perfectly clear about that example. Of course advocacy of a particular status for Northern Ireland would not involve instigation to terrorism—that is the expression of a political view. I do not know whether it will reassure the right hon. Gentleman—it may or may not—to learn that this is not a new phrase designed specifically for this Bill. It is time-honoured language, used in the prevention of terrorism Act in a different but similar context. As the House would expect, we seek to follow and reproduce the language in the PTA to the fullest possible extent.

I turn next to the detailed content of the Bill. Clause 1 fills a lacuna in the existing powers under section 13A of the prevention of terrorism Act. Section 13A was added to the Act by the Criminal Justice and Public Order Act 1994. It currently allows a constable to stop and search any vehicle, its driver and any passenger in it. He may also stop any pedestrian and search anything he is carrying for articles of a kind that could be used in preparing, commissioning or instigating terrorist acts. But he cannot search the pedestrian for anything which he or she may have concealed about them—for example, in a jacket pocket.

The operation of the existing stop-and-search powers has led the police to believe that an additional power to search pedestrians would be of real practical benefit. I accept that. Bombs and incendiary devices do not need to be very large to kill or destroy. A typical device may be no bigger than an audio cassette. I have seen examples of what has been found, and I must tell the House that it is perfectly possible to carry one or more of these devices in pockets without an observer being any the wiser. But these things are not just carried in pockets. In Northern Ireland, explosives and other material have been found in shoes; and guns and other weaponry can easily be concealed under a shirt or jacket.

Mr. A. J. Beith (Berwick–upon–Tweed): If, under the terms of this clause, a constable carries out a search of outer clothing and finds nothing but becomes suspicious about the behaviour of the person, would he, under

[Mr. A. J. Beith]

existing powers, then be able to proceed to examine the person's shirt pocket, which could equally well accommodate the item being looked for?

Mr. Howard: Not under these powers; but once a constable entertains suspicions relating to the person whom he is searching, the powers under PACE come into play, and the usual search powers are available to him: he can search the person in the way the right hon. Gentleman has described, or take the person to a police station.

Clause 1 accordingly inserts new section 13B into the PTA, giving the police power to stop and search pedestrians in a designated area. Clear safeguards will apply, as in section 13A. Searches will be allowed only within an area authorised by an assistant chief constable and only for a specified period of up to 28 days. In addition, authorisation of the exercise of the new powers must be confirmed by the Secretary of State within 48 hours of the authorisation having been given. If that confirmation is not forthcoming, the authorisation will lapse. The Bill further provides that the Secretary of State will have the power to cancel the authorisation and/or if he wishes, to substitute a shorter period during which the powers will be exercised.

Mr. David Trimble (Upper Bann): I wonder whether the procedure whereby areas must be specified before the powers become exercisable is not unduly restrictive. Under section 13A, the procedure has been used only after incidents have occurred, which suggests closing the stable door after the event. Such measures may be of general reassurance to the public, but they do nothing to prevent serious incidents from occurring. Do we not really need powers of this nature to become operative before incidents occur, not after them?

Mr. Howard: We do, and these powers would so apply. The reason why thus far they have been used only after the event is, as the hon. Gentleman rightly points out, that they came into force only after the ceasefire was declared and have been used only since the South Quay bomb. But that is no sure guide to how they will be used in future. I would expect them to be used in advance of a terrorist outrage when there is intelligence that such an outrage may be committed in a particular area. Therein lies the real necessity for these powers—not just to be used after an outrage but in anticipation of one, thereby enabling it to be prevented. That is what the powers are designed to achieve.

Dr. Norman A. Godman (Greenock and Port Glasgow): A moment ago the Home Secretary referred to the role of the Secretary of State. Will he confirm that, where Scotland is concerned, he is talking about the Secretary of State for Scotland—except perhaps when he is absent and his role may be taken on by the Home Secretary?

Were senior Scottish police officers consulted on these matters?

Mr. Howard: The hon. Gentleman is quite right. The Home Secretary would usually give the authorisation in England and Wales, and the Scottish Secretary would give it in Scotland. As the hon. Gentleman appreciates, there will be times when the Secretary of State is not available and it is appropriate for some other Secretary of State to act in his place.

As for consultation, I said earlier that my discussions had been with the senior police officer responsible for countering the terrorist threat in Great Britain. I have no doubt that he reflected the views of the Association of Chief Police Officers (Scotland) as well as those of the rest of the police service.

Once authorisation has been given, a police officer will be able to stop any pedestrian and search him and anything he is carrying for terrorist devices or other material. The search will be a rub-down search. The officer may ask the pedestrian to remove his outer coat, jacket, footwear, gloves or headgear in public to facilitate the search.

To enforce the new power, clause 1 also creates offences of failing to stop when asked to do so and of wilfully obstructing a constable in the exercise of the new powers. These mirror the offences in section 13A and will carry the same penalty—on summary conviction, up to six months' imprisonment, or a fine not exceeding level 5 on the standard scale, or both. Prosecution for either offence will proceed only by or with the agreement of the Director of Public Prosecutions.

Mr. Dennis Canavan (Falkirk, West): I see no specific reference in clause 1 to a warrant to enable a police officer to use the stop-and-search powers in relation to people, yet in clause 2 there is a specific reference to a warrant from a justice of the peace to enable the police to search non-residential premises. Does that mean that people are less important than non-residential premises?

Mr. Howard: No, it does not mean that. If the hon. Gentleman reflects for just a moment, he will understand that it would not be practicable to expect a police officer to ask a magistrate for a warrant to search the outer garment of someone he encountered in the street in an area where a terrorist outrage was anticipated. On the other hand, it is perfectly practicable for the police to go to a magistrate if they wish to search premises for bomb-making equipment or a lorry used in the course of an outrage. That is the reason for the distinction between the two clauses.

Mr. Andrew Mackinlay (Thurrock): Will the Home Secretary clarify two points? First, was the Association of Chief Police Officers consulted, did ACPO ask for the powers or did the senior police officer dealing with terrorism ask for the powers? Secondly, if a uniformed British Transport police officer is travelling between railway stations—and he is not in the jurisdiction of railway property—and is in one of the designated areas, will the powers extend to him or her?

Mr. Howard: On the second question, the Bill does not extend the power of British Transport police officers to act outside the places where they are entitled to act under existing powers, but the Bill will give them the enhanced power to stop and search pedestrians if the places in which they are entitled to act are within a wider area designated by a senior police officer in accordance with the Bill.

On the first question, I said earlier that the need for the powers evolved during discussions that I had with senior police officers in the aftermath of the South Quay bomb.

I had a number of such discussions when reviewing the security situation. My recollection is that in the course of those discussions I asked an officer whether he was satisfied that the police had all the powers they needed. That is my best recollection of the way in which the conversation developed. The need for the powers evolved and was identified. Thus we find ourselves here today.

Mr. Nicholas Winterton (Macclesfield): The proposals, which are very limited in scope, have clearly been requested by the police, especially those dealing with terrorism. Is not the deterrence of terrorist acts and the preservation of life worth a little inconvenience?

Mr. Howard: I entirely agree with my hon. Friend. I am sure that those of my hon. Friends and some Opposition Members who earlier expressed the view that the greatest civil liberty is to live one's life free of the threat of terrorist bombs and bullets speak for the nation. I am sure that that is the view of our constituents.

Mrs. Ann Clwyd (Cynon Valley): Will the Home Secretary give way?

Mr. Howard: I will give way to the hon. Lady, but then I must make some progress. I am conscious that we have little time.

Mrs. Clwyd: I wish to ask for clarification on a point. Will the searches of women be carried out by women police officers?

Mr. Howard: I cannot possibly give the hon. Lady that assurance. If a police officer, in an area designated for the purposes of clause 1 and where a terrorist outrage is believed to be imminent, encounters a woman whom he may have no particular reason to suspect but whom he needs to search to see whether she is carrying a bomb or some other device, it is unrealistic to suggest that he should not do so because a woman police officer is not immediately in the vicinity. I hope that the hon. Lady, on reflection, will see the complete impracticality of her suggestion.

Mrs. Audrey Wise (Preston): Will the Home Secretary give way?

Mr. Howard: I will not, if the hon. Lady will forgive me. We have limited time and I must make some progress. *[Interruption.]* I do not suppose that Opposition Members would thank me if I took all the time for the Second Reading of the Bill.

The police are well aware that the new power will need to be exercised with circumspection and sensitivity. Clear guidance will be issued to police forces to ensure consistent and careful operation. The hon. Member for Blackburn said yesterday that Parliament should receive regular reports on the operation of the new stop-and-search powers. I readily gave that assurance. The hon. Gentleman also asked about monitoring. Again, I have given the assurance that the operation of the stop-and-search powers will be monitored, just as the existing section 13A powers are under the relevant PACE code.

Mrs. Wise: A pedestrian may not know that the area is a designated area. If she refuses to be searched in a designated area, she will be committing an offence—but she will not know that she is doing so. If I were walking along the street and a police officer said that he wanted to search me, my instinct would be to say no, but I might be committing an offence. What safeguards are there for people in those circumstances? In the event of complaint, it would be the pedestrian's word against that of the police constable. Clause 1 seems to be an invitation for harassment, which worries me.

Mr. Howard: I shall try to allay the hon. Lady's anxieties. In the situation that she envisages, the police officer would tell the woman concerned that she was in an area designated by a senior police officer to enable the police to ask her to stop to be searched. The police officer would tell the woman that if she refused to comply with the request, she would be arrested because she would have committed an offence. The officer would explain clearly to the pedestrian that the area had been designated, the significance of that and the consequences of failing to comply with the officer's request. If the hon. Lady ever found herself in that position, I hope that she would, in the circumstances, comply with the request.

Clause 2 relates to searches of non-residential premises. As hon. Members know, the police sometimes receive reliable intelligence—for example, that explosives are concealed in a garage in a particular area of London or that a lorry carrying home-made explosives has been left in a lorry park near a motorway intersection. Such information is of clear importance and needs to be investigated, but often the intelligence received is not sufficient to identify precisely the garage or lorry park in question. It is currently impossible to obtain a search warrant to enter all relevant premises and examine them.

The new search power in clause 2 will enable a magistrate—or a sheriff in Scotland—to issue a warrant for the police to search a list of premises. The police will not be required to say in which of those listed premises they believe they will find the material. A warrant may be issued only on the application of an officer of at least superintendent rank. Any search of premises named in the warrant must be made within 24 hours of the warrant being issued.

Clause 3 will enable examining officers at ports to search unaccompanied freight. At present, the police may stop and examine individuals coming through ports and, in the course of examining them, they may search their baggage and their vehicles for anti-terrorist purposes. Customs officers can search goods that have come from outside the United Kingdom, but police officers cannot, at present, search cargo that is not accompanied by an individual. Clause 3 will allow them to do so.

With trade increasing and up to 10,000 items of freight coming through west-coast ports each day, the police cannot and will not search all of them. But spot checks and checks following intelligence received should do much to deter and disrupt terrorists' plans and the restocking of their armoury. That is the only one of the powers that is not currently available in Northern Ireland and the Bill will therefore extend that power to the Province as well as to Great Britain.

Clause 4 will enable the police to cordon off an area and restrict access while they look for a bomb or while they collect forensic evidence following the discovery of a bomb or an explosion. The police already have limited

[Mr. Howard]

powers under common law to impose cordons, but the extent of their existing powers is uncertain. Clause 4 will provide a firm statutory basis and will remove that uncertainty. It will ensure that the police can exclude people from a cordon for their own safety and for the safety of others, and it will ensure that they can keep a zone sterile until they have completed any forensic examination of the scene.

The new power will be exercised initially for a period of up to 14 days and will be capable of renewal for up to a further 14 days. However, past experience suggests that most cordons will be kept in place for less than two weeks. The new power will be subject to the authorisation of an officer of at least superintendent rank. However, in an emergency it may be invoked by any constable and then confirmed by a superintendent or officer of more senior rank.

Rev. Ian Paisley (North Antrim): The Home Secretary spoke about the common law. If the Bill is challenged in Europe, can the Home Secretary revert to the common law principle that the police have the right to cordon off certain areas and search them?

Mr. Howard: Yes, I can give the hon. Gentleman that assurance because the Bill provides that its powers are additional to existing powers. In the event that the hon. Gentleman anticipates, which I hope will not arise, common law powers would still be available for use.

Mr. Mackinlay: I do not think that the chief officer of the Royal Parks constabulary is of superintendent rank. Who would retrospectively confirm an urgent action that had been taken by royal parks officers? Does the "urgency" power that is mentioned in clause 4 extend to ports police forces, which are privately owned and controlled? Northern Ireland airports and the ports of Tilbury, Teesside and Felixstowe all have private police forces of sworn constables, but those forces certainly do not have anybody of superintendent rank in their structures.

Mr. Howard: The officer would be the superintendent of the police force in whose area the royal park, for example, was situated. If there were any question of retrospective authorisation, that superintendent would be responsible for it. I hope that that deals with the hon. Gentleman's point.

Mr. Mackinlay: What about ports?

Mr. Howard: Exactly the same consideration would apply. Authorisation would be by the superintendent of the force within whose area the port was situated.

The schedule sets out the powers that may be exercised by the police inside the cordon. These include power to search premises within the cordon for any device or other terrorist material and to collect any forensic evidence found. Offences are created of failing to leave the cordon when required to do so and of breaking the cordon and obstructing a constable in the exercise of any of his powers within the cordon. Prosecution will proceed only by or with the consent of the Director of Public Prosecutions. As an additional safeguard, a defence is provided for those who can prove that they have lawful authority or a reasonable excuse for their actions.

Mr. Andrew F. Bennett (Denton and Reddish): How will the search powers apply inside and outside a cordoned area? I understand that outside such an area the police have to apply to a magistrate for a search warrant, which occasionally takes some time. Is putting a cordon around an area a short cut so that they do not have to apply for a warrant?

Mr. Howard: I understood the hon. Gentleman's question to relate to the power to search premises within a cordon. As the cordon will be set up only in circumstances of some urgency, I understand that the power to search premises within it will not require a warrant.

Mr. Kevin McNamara (Kingston upon Hull, North): The right hon. and learned Gentleman is on an important point. In speaking to clause 4 he spoke specifically in terms of the possibility of bombs, explosives and so on, but the clause is not that limited. It relates to the preparation or instigation of acts of terrorism. It is not as finely defined as the Home Secretary suggests. Therefore, the point that he made in reply to my hon. Friend the Member for Denton and Reddish (Mr. Bennett) would not necessarily apply.

Mr. Howard: I make no apology for the fact that the police should be allowed to search for material that might help to bring to justice those who made the bombs or who might be prepared to use weapons, and not simply to look for bombs or bullets. If the hon. Gentleman takes the view that it would be reasonable to allow the police to look only for bombs or bullets, that is not a view that I share.

Mr. McNamara: That was not the point that I made. My point was that, normally, one would need a warrant to search premises, but for a cordoned area a warrant is not needed. *[Interruption.]* I am sorry that I have an effect on my hon. Friends. Designating an area could be seen as a short cut to a mass search of premises. That was the point that my hon. Friend the Member for Denton and Reddish made.

Mr. Howard: I ask the hon. Gentleman to reflect on the circumstances that we are considering. We are considering circumstances in which the police are endeavouring to find a bomb or evidence about the identity of those who were responsible for planting a bomb. The police will wish to search for any evidence that will assist them in those objectives, and it is right that they should have the power to do that. That is why the power is so framed.

The Whip reminds me about the length of time for which I have been speaking. I must seek to make more progress.

Clause 5 will give the police the power to impose temporary parking restrictions on roads or parts of roads in response to a general threat to vulnerable targets such as Government buildings, financial centres, major transport facilities and so on. Again, the police have powers under common law, but there is uncertainty as to their extent and the length of time for which they can be used. The powers of the police in this area require statutory underpinning.

The power in clause 5 will be subject to the authorisation of an assistant chief constable or equivalent ranking officer. It will be exercisable only for a stipulated

period of up to 28 days. There is no intention to prohibit loading or unloading, so business should be little disturbed. Offences will be created of failure to remove a vehicle when asked to do so and of parking in breach of a prohibition or restriction. Again, the consent of the Director of Public Prosecutions will be required for any prosecution, and a defence of lawful authority or reasonable excuse has been provided.

Mr. Bennett: Will the Home Secretary give way?

Mr. Howard: I hope that the hon. Gentleman will forgive me if I do not. I must finish my speech.

Clause 6 provides that the Director of Public Prosecutions must consent to any prosecution for the offences created to enforce the powers given in clauses 1, 4 and 5. Clause 7 deals with the territorial extent of the new powers. Clause 3 extends to the whole of the United Kingdom. All the other provisions in the Bill apply only to Great Britain, since these powers are already available to the police and the security forces in Northern Ireland.

The measures in the Bill are sensible and practical. They are subject to clear and careful safeguards. I referred earlier to the concerns expressed yesterday by the hon. Member for Blackburn about the exercise of the new power to stop and search pedestrians. I have given him assurances that Parliament will receive regular reports on the operation of that power, and that its exercise will be monitored. I have considered whether putting this in the Bill would provide any additional safeguard, and I have concluded that that is not necessary. PACE code A will apply to new section 13B of the prevention of terrorism Act as it does to existing section 13A. I am glad to take this opportunity to reiterate the assurances that I gave yesterday.

These measures will be of real practical benefit to the police in protecting the public against the threat of terrorism. The need for them is immediate. The police deserve the support of the House in their fight against terrorism. I hope that the House will give them that support. I commend the Bill to the House.

7.39 pm

Mr. Jack Straw (Blackburn): In August 1994, the Provisional IRA gave notice that it had agreed to a ceasefire, and Sinn Fein gave notice that it had agreed to take part in a process leading to a negotiated peace in Ireland. Both Sinn Fein and the IRA left the impression that they were fully committed to a democratic approach to politics. On 9 February this year, the Provisional IRA ended the ceasefire, unilaterally and without notice.

It was a large bomb which announced the withdrawal of the Provisional IRA from the peace process—a grotesque reminder of the organisation's ambiguous approach to participation in that peace process and in democratic politics. A number of people were killed by the Canary wharf bomb; many more were injured or shocked, and millions of pounds of damage was done to homes and businesses. The people and the area have still not recovered from the deep trauma of that bombing. It was followed by the explosion of a bomb on a bus at the Aldwych—a bomb which happened to kill only the perpetrator of the proposed outrage, but which could easily have caused scores of injuries and deaths in central London.

We need to remember that the resumption of violence by the Provisional IRA, and that alone, prompted the introduction of the Bill and our support for it. Any additional powers, such as the powers contained in the Bill, are bound to cause some inconvenience to innocent members of the public, but we consider that that inconvenience is vastly outweighed by the need to secure public safety.

Mr. Nick Hawkins (Blackpool, South): Given all that the hon. Gentleman has rightly said, and given his welcome bipartisan approach, does he not feel somewhat embarrassed by the nit-picking approach of many of his hon. Friends—particularly that of the hon. Member for Preston (Mrs. Wise), who said that, if stopped by a police officer and asked to agree to a search, she would refuse? In the light of recent events, is the hon. Gentleman not even more embarrassed by the fact that the hon. Member for Woolwich (Mr. Austin-Walker) agreed to appear on the platform at a Sinn Fein conference? Does he not feel that the party Whip should have been withdrawn from his hon. Friend, as many Conservative Members—including me—demanded?

Mr. Straw: I am not embarrassed by the concerns of my colleagues.

Sir Ivan Lawrence (Burton): Yes you are.

Mr. Straw: With respect, I will speak for myself. I would tell the hon. and learned Gentleman if I were embarrassed by those concerns, but I am not in the least embarrassed. I recognise them, but I do not share them, and I hope to persuade some of my hon. Friends that they are misplaced. As for the question about my hon. Friend the Member for Woolwich (Mr. Austin-Walker), it has already been made very clear that the Labour party did not approve of his speaking on a Sinn Fein platform, and he has apologised for so doing.

Mr. Clive Soley (Hammersmith): Just to make sure that hon. Members do not become too party political, may I remind Conservative Members that theirs was the party that talked to the IRA, and also flew the IRA around in RAF helicopters at public expense? The hon. Member for Blackpool, South (Mr. Hawkins) should be a little more careful about whom he accuses.

Mr. Straw: My hon. Friend knows a good deal more about the details. He is absolutely right: we need to be very careful before trying to score partisan points in a debate such as this. Nevertheless, it is true that the British Government negotiated with the IRA for a long time before admitting it: indeed, while they were negotiating, they publicly denied it. We have never made too much of a point of the fact that—perhaps for good reasons—the House was misled about what was going on.

As I have said, we are satisfied that the powers in the Bill are proportionate to the threat. Let me make it clear, however—especially to my hon. Friends who are anxious about those powers—that, when we were asked to support the Bill, my hon. Friends the Members for Redcar (Ms Mowlam) and for Glasgow, Garscadden (Mr. Dewar) and I, along with colleagues, went to great lengths to examine the proposals, and to judge for ourselves whether the powers were necessary. We decided that,

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given the history of the sus law—with which, as I explained during the debate on the timetable motion, I happen to be particularly familiar—and the anxiety about the disproportionate number of black people, for example, who are arrested under the ordinary stop-and-search powers, we would have to give careful consideration to the provision of any further search powers.

Mr. Jeremy Corbyn (Islington, North): Is my hon. Friend aware that, in recent vehicle searches in London in connection with the PTA, a disproportionate number of cars with either black drivers or black occupants, or both, have been stopped? That suggests that the police target the black community to a disproportionate extent when they have the power to stop and search vehicles. Can my hon. Friend give any guarantee that the police will not do exactly the same with black pedestrians if the power in the Bill is given to them?

Mr. Straw: I appreciate my hon. Friend's point. I recall that, according to a parliamentary answer given on, I believe, Friday of last week, some 60 per cent. of 160,000 people who were stopped by the police in the Greater London area last year—not under powers connected with the PTA, but under general powers to stop people on reasonable suspicion—were black or of Asian origin. That obviously gives cause for concern.

The police have their own explanation. They say that the same proportion of people are arrested following stops of black people as are arrested following other stops. I am very concerned about the issue, however, and feel that we should examine it carefully. Perhaps, in time, the Commission for Racial Equality should investigate it. We must ensure that every citizen is treated in exactly the same way, regardless of skin colour. I give my hon. Friend the Member for Islington, North (Mr. Corbyn) that thorough undertaking. One of the reasons why I raised with the Home Secretary, almost immediately, the need for explicit monitoring of the way in which this power is used—including ethnic monitoring—was my concern about the possibility that a disproportionate number of black people could be stopped and searched.

Mrs. Wise: In view of Conservative comments, does my hon. Friend agree that a woman walking in an area that was familiar to her, unaware that it had suddenly become a designated area, would be entitled to be distinctly startled and suspicious if approached by a male police officer who wanted to carry out a rub-down search? Is it not reasonable for female Members to express some concern about that aspect of the proposals?

Mr. Straw: I understand what my hon. Friend is saying. The point is raised in an amendment that I have tabled, along with some of my hon. Friends.

In his statement yesterday, the Home Secretary said that he expected the police to undertake such searches with—I think—circumspection and sensitivity. That will have to happen. It is essential for proper guidance to be given to the police about the circumstances in which the searches are conducted, and—as I said to my hon. Friend the Member for Islington, North—for them to be properly monitored.

As I said earlier, I believe that anyone who looks carefully at the nature of the additional powers conferred by clause 1 cannot fail to conclude that those powers do not involve any gratuitous erosion of the liberty of the subject. Although they are important, they do not differ in character from powers that were placed on the statute book in 1994. Let me point out to my hon. Friends that, when section 13A of the 1989 Act was discussed during the Committee stage of the Criminal Justice and Public Order Act 1994—in our debates on clause 62 of the Bill—although we raised a number of probing points, we did not challenge the principle behind section 13A; nor, as far as I am aware, did any of my hon. Friends raise any question about it on Report.

We supported the need for those powers relating to searches of vehicle occupants. If it is appropriate in the limited circumstances of the PTA for the occupant of a vehicle to be subject to an outer-body rub-down search, I do not fully understand the argument that that is not an erosion of civil liberties—so small an erosion of civil liberties that none of my hon. Friends raised any question about it when it came up in February 1994—but stopping a person who happens to be outside a vehicle in exactly similar circumstances and giving them an outer-body rub-down search is a major erosion of civil liberties. Frankly, that argument does not hold.

The second argument is whether there is any parallel between the power under section 13B and the old sus law. Although I went into that point in detail during the debate on the timetable motion, it is worth repeating one or two points about the sus law. The sus law was based on section 14 of the Vagrancy Act 1824, which made it an offence to be a suspected person loitering with intent to commit an arrestable offence. The offence was risible. The law enabled any pair of police officers not only to charge somebody but to convict them if they did not like the person's face or what they appeared to be doing.

All that was required was that first, the offender committed one act that gave rise to a suspicion, and, secondly, the offender committed another act that gave rise to him being a suspicious person loitering with intent. It required only that someone felt one car door, and then felt another. There needed to be no separation in time for an offence to be committed. I am not saying that if two door handles were felt it would not arouse suspicion in the mind of anybody watching, but there could easily be a perfectly good explanation. Under the sus law, however, simply feeling two car door handles amounted to the offence.

Moreover, under the sus law—this is unique as far as I am aware in English criminal law, save when someone puts their own character into evidence—an individual's previous convictions, if any, were adducible in evidence as proof of the fact that he was a suspicious person and likely to have developed an intent to commit an arrestable offence. It was the most outrageous offence and open to patent abuse, but on any analysis, there is no parallel whatever between the sus law and the commission of an offence under section 13B.

Sir Ivan Lawrence: Will the hon. Gentleman give way?

Mr. Straw: I give way to a man whom I know to be an even greater expert than me on the sus law.

Sir Ivan Lawrence: I deny that, but what I do not deny, and perhaps the hon. Gentleman will not deny,

is that a Conservative Government abolished the Vagrancy Act after it had been on the statute book through years of the Labour Government.

Mr. Corbyn: The Tories introduced it.

Mr. Straw: I cast my mind back to who was in power in 1824. I was expecting some parallel to be drawn not only with the sus law but with the six Acts introduced in 1819 to suppress all kinds of political activity. I am glad that such a parallel has not been drawn. The hon. and learned Member for Burton (Sir I. Lawrence) is right that the change was made in the Criminal Justice Act 1980. We supported that Act. It was deeply liberal, and I am glad to have it on record that he supported it, as did the liberal Home Secretary. We will ensure that it is well known to the electors of Folkestone and any other constituency in which the right hon. and learned Gentleman appears during the general election campaign that he is guilty of replacing the sus law with something more liberal.

Mr. Howard: I am very sorry to disappoint the hon. Gentleman. I dare say that I would have supported the Bill if I had been in the House at the time, but I was not.

Mr. Straw: The hon. and learned Member for Burton, who usually speaks for the Home Secretary, was, I think, in the House, and is certainly guilty of that piece of liberality—soft on suspected persons.

Mr. Madden: I regret to interrupt the jovial encounter, but may I ask my hon. Friend to consider the realities of someone who, say, late on a Saturday night when the pubs and clubs are spilling out, has the misfortune to find himself or herself in a designated area and is stopped and searched by a police officer in the circumstances described by my hon. Friend the Member for Preston (Mrs. Wise)? That person would be stopped for no good reason, according to him or her. If they refused, they could find themselves imprisoned for six months or fined £5,000. There is very little difference in practice between what we are discussing and the sus law, which we are all glad ended some time ago. Will my hon. Friend reflect on the practice of the police and the security services in recent years to keep known terrorists who are in possession of explosives under surveillance while they drive for hundreds of miles around the motorway network in this country? There was of course the famous case of someone—

Mr. Deputy Speaker: Order. Interventions are traditionally reasonably short. The hon. Member's has gone on for well over a minute.

Mr. Madden *rose—*

Mr. Deputy Speaker: Order. The hon. Gentleman has already asked two or three questions. Perhaps the hon. Member for Blackburn (Mr. Straw) could answer them.

Mr. Madden: I was merely asking my hon. Friend to contrast that practice with what is mere guesswork.

Mr. Straw: Let me try again. On any analysis, there is no parallel between this power and the sus law. The sus law made it an offence to be a suspected person loitering with intent. A person did not have to be searched for anything; he just had to be there. If the police suspected somebody, a well-known old lag for example, or one who looked dodgy, one had only to do two things, such as brushing against a car door, that in the police officer's view aroused a suspicion and then aroused the view that one was a suspicious person. Those were the two limbs of the offence. The police officer did not have to know necessarily about a person's previous convictions, but when the case went to court, those previous convictions could be brought up, just to bang home the point that the person was suspicious and was loitering with intent. The result was that the person would be fined or imprisoned. I cannot begin to understand how that offence has any parallel with a situation in which for their own good reasons—

Mr. McNamara: For no good reason.

Mr. Straw: For good reasons that are related to the suppression of terrorism, the police decide to stop and search a number of members of the public and to conduct rub-down body searches. My hon. Friend the Member for Kingston upon Hull, North (Mr. McNamara) said, "No good reason." Of course we examined carefully the provision that a police officer in such limited circumstances, operating for a limited time, and within a designated area, does not have to show reasonable cause in order to stop someone and search them. I work on the basis, however, that the police do not search people randomly. They will have an operational reason—they might not have to justify that reason in court—to use the power. That is obvious, and that operational reason is related to the suppression of terrorism.

Mr. Bennett: My hon. Friend has been talking about the power's selective use and the Home Secretary has talked of its limited use. Will my hon. Friend confirm that, under the Bill as it stands, it would be possible to stop and search everyone coming across Westminster bridge, for instance, if Westminster were a designated area?

Mr. Straw: In legal theory, that is true. The police could stop and search everybody coming over the bridge, but there is an issue of proportion and practicality. Police resources are not unlimited. They have plenty of other things to do.

I return to the point made by my hon. Friend the Member for Kingston upon Hull, North. One has to work on the basis that the police are making their judgments about how best to deploy their resources in order, in this case, to suppress terrorism. They will not randomly scatter their resources, and will make their own judgments about where they think searches are best held.

A number of my hon. Friends wish to speak, so I shall deal rapidly with some of the other points that made us believe that the powers were justified and proportionate. First, the Secretary of State explained that there are closer restrictions on the use of the power related to pedestrians than those relating to vehicle occupants. A senior police officer can activate the power for 48 hours only, before he must get the approval of the Secretary of State. Secondly—this applies to the other power contained in the measure—there can be no prosecution without the

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consent of the Director of Public Prosecutions. Thirdly—this is important in relation to monitoring—any person who has been the subject of one of those searches can gain within 12 months a written notice that he has been searched under the powers and not under, for example, the reasonable suspicion powers under other criminal justice measures. Fourthly—a matter to which the House's attention has not been drawn—there is an important limit on the physical extent of the searches that can be made. The Bill states:

"Nothing in this section authorises a constable to require a person to remove any of his clothing in public other than any headgear, footwear, outer coat, jacket or gloves."

Mr. Harry Barnes (North–East Derbyshire): There are four women Members in the House. How would the measure apply to them in connection with the wearing of jackets?

Mr. Straw: As I read the Bill, somebody wearing an outer jacket—

Mr. Barnes: How would the measure apply to the four hon. Ladies in the Chamber?

Mr. Straw: I am sorry, but I am not going to speculate on what the four hon. Ladies are wearing underneath their jackets. I must decline my hon. Friend's invitation. But if he is asking whether it would be reasonable for a police officer to require someone to remove their jacket if they were wearing nothing underneath it, the answer I think would be no. That would mean that the search had become an intimate body search and would have to be dealt with under separate powers.

Mr. Barnes: It is a serious point. The legislation may be drafted in such a way that it is quite appropriate for men, but it must also apply to women. We can see that the hon. Ladies in the House are not wearing coats that could be removed by an officer under these powers, but are wearing different forms of dress. Would those count as jackets or not? How much clothing can be removed from a woman in those circumstances?

Mr. Straw: The clause says:

"Nothing in this section authorises a constable to require a person to remove any of his clothing in public other than any headgear, footwear, outer coat, jacket or gloves."

If a woman were wearing a jacket with nothing underneath it, she could justifiably claim that it is unreasonable to expect her to remove that jacket.

I make this point to my hon. Friend the Member for North-East Derbyshire (Mr. Barnes). Sometimes, in Standing Committees, we feel that our job is worthless. We grind away, tabling amendments that we think fall on deaf ears. Having spent 17 years in opposition, I must say that that has often been my experience, and that of some of my hon. Friends. No one could have spent longer in opposition continuously than me and those of my hon. Friends who came to Parliament with me on 3 May 1979. But that impression is untrue. On 30 January 1996, some of my hon. Friends—including the hon. Members for Lewisham, West (Mr. Dowd) and for Clydebank and Milngavie (Mr. Worthington)—tabled an amendment to the Northern Ireland (Emergency Provisions) Bill. The amendment proposed that an equivalent power to the one we are discussing today be included in the Bill, and said:

"this is not to be construed as authorising any person conducting a search under this section to require a person being searched to remove any of his clothing in public other than an outer coat, jacket, headgear or gloves."

Despite the persuasive powers of my hon. Friend the Member for Lewisham, West, the amendment was not accepted, but—somehow or other—the view of the Opposition has filtered through the ether and has been reflected in section 13B(4), or clause 1 of the Bill. We can hardly complain that an important safeguard that we asked for in respect of the Northern Ireland legislation has now been included in the legislation for Great Britain.

Mr. Jim Dowd (Lewisham, West): Has my hon. Friend received a mirror-image assurance from the Government that they will now extend that measure to the powers exercised in Northern Ireland?

Mr. Straw: I have not discussed that matter, but the Minister may wish to comment on that when he winds up.

The Secretary of State has dealt with both the additional safeguards that I suggested ought to be brought in, and I am grateful to him for what he said. We accept that those do not need to be written into the Bill, since monitoring will be triggered under the other statutory powers that he has announced. He has made it clear that the House will be notified regularly of the use of the powers.

The last thing that I want to say in respect of the search powers—I shall repeat a point that I made during the debate on the timetable motion—is that the nature of searches that we are requiring people to be subject to under section 13B is no different from the searches that we require daily of people visiting the Palace of Westminster. They are almost exactly the same.

Mr. McNamara: When did my hon. Friend last have to take his shoes off when entering the Palace?

Mr. Straw: With great respect to my hon. Friend, it is perfectly possible for people to be asked to do that. People coming to visit us in the Palace are subject to checks by electronic machinery. To my certain knowledge—I see it almost every day in the entrance to 1 Parliament street—guards who think that they have seen someone suspicious going through then subject that person to an outer-body search. What is more, those checks have been put in place for the safety of hon. Members, and the Palace would be extremely dangerous were it not for them.

I do not find it convincing to compare the number of searches with the number of arrests. I do not have the figures, but I suspect that following the hundreds of thousands of searches that have been carried out of visitors to the Palace of Westminster, scarcely one arrest has ever been made. But by God, if those searches had not been carried out, not only would there have been a need for arrests, but a number of bombs would have been placed within the Palace of Westminster. We know that that is true, and we do not need to look in a crystal ball to know that. In 1979—when security was not as good as it is now—Airey Neave, in a terrible outrage, was blown up as he left the car park. That is the reality, and the idea that there is some arithmetical connection between the

number of searches carried out and the number of arrests made as a result is, frankly, one that I do not properly comprehend.

Rev. Ian Paisley: We must also remember that a bomb was brought into, and detonated in, this House, causing damage to Westminster Hall.

Mr. Straw: I was not in the House when that happened, but I remember it. I have no doubt that—as the IRA has decided to resume its bombing campaign—were it not for the searches that have been reintroduced far more rigorously, hon. Members, members of staff and the public within the Palace would be vulnerable to terrorist outrages.

Mr. Barnes: The Palace of Westminster could presumably be included in an area in which searches were taking place, so people could be searched outside as they arrived here. Yet the public do have rights of access to the Palace. Will the legislation in any way interfere with those rights? Will a special provision be operated around the Palace, as people might be subject to two searches?

Mr. Straw: Frankly, that is a matter for the Secretary of State to answer, and I invite him to do so when he winds up. From my reading of the Bill, I do not think that it makes any difference to the normal right of access of members of the public to this building, expect when it comes to the first of the four remaining parts of the Bill—if there is a cordon.

I now pick up a point that exercised some of my hon. Friends. I work on the basis, again, that the police will not suddenly throw up a cordon for the hell of it; they will do so for a reason. What is more, although, under the schedule, certain search powers are triggered where there is a cordon, a cordon can be permitted only in very specific circumstances. The circumstances, which are spelled out in clause 4, are:

"If it appears to a police officer of at least the rank of superintendent that it is expedient to do so in connection with an investigation into the commission, preparation or instigation of an act of terrorism to which this section applies".

That is a very specific circumstance in which either there has been an act of terrorism or the police have every reason to believe that there might be one.

Nobody can argue with the parking restrictions proposed in the Bill nor with the proposal that it should be made—

Mr. Bennett: Does my hon. Friend accept that, while it may be reasonable to restrict parking, there is a problem in requiring cars to be moved? Will he get assurances that someone who is not in a fit state to drive a car is not required to move a car from outside his house?

Mr. Straw: That is a matter for the police. However, I say this to my hon. Friend. I was present—my hon. Friend has raised this matter tangentially—at the Old Bailey when the bomb went up in 1973. The bomb had been placed in a Cortina which was parked outside the Old Bailey. If parking restrictions such as those in the Bill had been in force and if the threat had been anticipated, that bomb would not have gone up. Of course the police must take account of the fact of a driver being disabled, but in circumstances in which a cordon is being erected or parking restrictions are being enforced in anticipation of a bomb going off, the overriding concern must be the safety of the public.

I shall now deal with non-residential dwelling search warrants. It seems perfectly reasonable to make it easier for the police to get search warrants and it should certainly be made easier for them to search unaccompanied cargo. Such searches can currently be undertaken by Customs and Excise but not, apparently, by the police.

As I said earlier in my speech, and as I said yesterday, the Bill has been prompted solely by the unilateral resumption of terrorism by the Provisional IRA. If it had not ended the ceasefire and if it had not killed people, there would be no need for the Bill.

My hon. Friend the Member for Denton and Reddish (Mr. Bennett) yesterday raised an important question about what happens if the ceasefire is resumed and there is an end to the violence which is deemed permanent. I was asked that question on the "Today" programme this morning. It seems obvious that if we arrive at a situation where a judgment has been made by the Government and the Opposition that there is a permanent ceasefire and that a peace process is well in hand, there is no need for these measures. I repeat that the measures have been triggered only by the fact that the IRA decided to end the ceasefire. We have, however, tabled a probing amendment which would give a power to the Secretary of State to abrogate the proposed new sections if and when we arrived at the happier situation where there was a working assumption of a permanent peace.

We regret the necessity for the Bill, as I believe the whole House does, but we are satisfied that it is needed and we will not impede its passage today.

8.12 pm

Mr. Andrew Hunter (Basingstoke): I am sure that the hon. Member for Blackburn (Mr. Straw) seizes every opportunity to distance himself from my political views, so I make the point as objectively as I can that I believe that many commentators will applaud his position and the points he has made. I hope that few will dissent from joining in that applause.

On 14 March, when my right hon. and learned Friend the Home Secretary was speaking in the debate on the prevention and suppression of terrorism, he made this point:

"Governments cannot shrink from deciding whether to take the measures necessary to protect the public from terrorism."—[*Official Report*, 14 March 1996; Vol. 273, c. 1133.]

Conservative Members agreed with him unreservedly.

In his statement yesterday, my right hon. and learned Friend announced that he had discussed with senior police officers

"whether there were any additional powers which would strengthen their ability to safeguard the public."

Conservative Members would have criticised him if he had not held such discussions. My right hon. and learned Friend continued by explaining that his proposals, which constitute the Bill, were

"designed to meet the real needs that they"—

senior police officers—

"have identified . . . they are necessary changes, which will increase public safety."—[*Official Report*, 1 April 1996; Vol. 275, c. 35.]

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Conservative Members would have condemned the Home Secretary if, the real needs having been identified, he had not sought to implement them, and without delay.

We agree with the Home Secretary because, by any criterion of judgment, Government and Parliament should give the highest priority to ensuring that the police have the powers that are needed to safeguard the public from terrorist activity. I hear the argument of those who object that the Government are moving with excessive speed and unseemly haste. It is understandable that those arguments should be made, but I do not believe that they should carry the day. My right hon. Friend the Member for Honiton (Sir P. Emery), in his speech on the guillotine motion, stressed that everyone was reluctant to see the guillotine being used. It is not a desirable state of affairs, but given the wider circumstances, we argue that it is the lesser of evils.

In the light of intelligence reports and having ascertained that there are weaknesses in our anti-terrorist legislation, it would be irresponsible and indefensible for the Government not to accelerate through Parliament, by timetabled debates, the measures that are necessary to increase public safety. Likewise, it would be irresponsible of the House to oppose those measures.

It is a proven fact that, during the 18 months of the so-called ceasefire, the IRA not only maintained but improved its operational capability. It recruited, trained and targeted; it further researched and developed improvised weapons; it raised funds to maintain its structures and to enhance its capabilities; and, most significantly, it actively prepared for the resumption of violence. It is, therefore, scarcely surprising that intelligence reports confirm that the IRA is even more active now than it was during the so-called ceasefire. There is every reason for urgency and the Government are right to respond with urgency.

Nor should we overlook a second, albeit lesser, on-going reality—the continuing threat from international terrorism and the need to combat it. Successive prevention of terrorism Acts have been designed to respond to threats from sources other than Northern Ireland and Irish terrorism. The slaughter of the innocents over Lockerbie stands as a bitter reminder of that reality. Less than two years ago, the Israeli embassy and Balfour house were attacked. Last year, 50 per cent. of extensions of detention related to international terrorism. The continuing need for effective and updated legislation is self-evident. Such legislation is essential to enable a free and open democratic society to protect itself against terrorism.

Some hon. Members and others oppose the Bill on the ground that it infringes civil liberties. On the civil liberties theme in general, I counter-argue that they fail to grasp some essential truths. First, as we have heard, the greatest threat to civil liberties comes not from counter-terrorist legislation but from those who believe in the bomb and the bullet and put that belief into practice. Secondly, almost all Governments of free, open, democratic societies have found it necessary to assume greater powers when confronted by people prepared to exploit freedom in their bid to destroy it and deny it to others. Thirdly, our emergency powers seek to maintain a delicate balance. In certain circumstances, they may inconvenience and restrict some people, but they contain checks and balances that minimise that and provide some safeguards. Fourthly, our counter-terrorist legislation seeks to protect the overwhelming majority from the smallest of all minorities and the evil that it would inflict. The majority understands and accepts the limitations and restrictions demanded by such legislation. Above all, as the right hon. Member for Bethnal Green and Stepney (Mr. Shore) said, it is right to err on the side of caution in such matters.

On the specific measures in the Bill, as my right hon. and learned Friend the Home Secretary said earlier, there are no new questions of principle. Its principles have been in the public domain for years and have been debated many times. Many people would be surprised to learn that they do not already exist in law. Clause 1 gives power to the police to stop and search the outer garments of pedestrians if an authorisation has been given by a senior police officer, to be confirmed by the Secretary of State, and compensates for a deficiency in the 1989 Act. That power already exists under the Northern Ireland (Emergency Provisions) Act 1991. It is also contained in the new edition of that Act. Given the terrorist threat, it does not undermine civil liberties but promotes them by making it safer for us all to move about our towns and cities.

Clause 2, which enables the police on a warrant to search one or more non-residential premises for the artefacts of terrorism, infringes no civil liberty. It is common sense that the power should be available. Both powers have been well tested in Northern Ireland. The House has approved them there many times. Sadly, they are needed throughout the United Kingdom.

Clause 3, which enables an examining officer to search unaccompanied goods which have arrived in or are about to leave the United Kingdom, is likewise a highly desirable power for the police. One may say that they should have had it many years ago. There is nothing unreasonable or genuinely controversial in those three clauses. The deterrent factor is prominent. The knowledge of their existence is likely to deter terrorist activity. The same applies to clauses 4 and 5. If, in the judgment of senior police officers, practice and experience have shown that the powers and precedent of common law are insufficient and a statutory basis is deemed desirable for cordoning areas and controlling parking, so let it be. There is no valid objection to that.

In the light of the proven threats from the IRA and international terrorism, the Government are surely right to introduce those measures. They are right to do so with urgency and through timetabled debate. The measures are necessary and reasonable. They do not constitute an unacceptable threat to civil liberties and those who claim that they do are simply wrong. I greatly hope that the House will overwhelmingly accept and endorse the Bill.

8.24 pm

Mr. Kevin McNamara (Kingston upon Hull, North): I beg to move,

That this House declines to give a Second Reading to a Bill which will not be subject to proper Parliamentary scrutiny, and whose powers may prove to be counterproductive and contrary to the European Convention on Human Rights.

I was flattered that my hon. Friend the Member for Blackburn (Mr. Straw) quoted so extensively from my speeches when the Act first went through. I am proud that

he has read my words and found them comforting. I recall that my hon. Friend fought the 1983 general election on a manifesto that supported full restoration of trade union rights, withdrawal from the European Economic Community, unilateral nuclear disarmament and nationalisation of industries that had been denationalised. Doubtless his speeches during the campaign while that was Labour party policy reflected those views.

I understand that there is a possibility that my hon. Friend has changed his mind on those matters. He may have done so for a variety of reasons, such as that he would not be sitting on the Front Bench if he had not. However, I do not challenge his good faith in changing his opinions, because we should be able to realise that we have made mistakes. The mistake that I made was not listening to my friend Tom Litterick, who was then a Member of the House, when the original legislation was going through and he said that we were reacting in panic. He said that we were prepared to do almost anything to protect the Irish population and stop Irish people from being attacked in factories and on the streets, having their windows put in, being thrown through the doors of clubs and being subject to abuse as a terrified British population sought scapegoats in the place of the people who had perpetrated that terrible crime in Birmingham. As a result, all people were being tarred with that odour—if one can be tarred with an odour.

People can take courses of action and change their minds. I have changed my mind about the prevention of terrorism Act for the reasons that I have given over the years. I believe that the balance in this legislation has gone the wrong way. It has been counter-productive. That was shown by the great trawls of the Irish population in London in the 1970s and early 1980s. People were picked up just because they were Irish, taken away, questioned and released without charge. I know how it alienated a whole generation of people who came to this country to be law abiding. They wanted to be good citizens and to work. They wanted to make a way for themselves and their families. It alienated them from the forces of law and order because they thought that they were being unfairly treated and singled out.

I believe that two powers that were contained in that legislation, exclusion orders and the power to detain a person without access to a magistrate for up to seven days, were wrong. I still believe that they are wrong. I have changed my mind.

I have changed my mind also about the Birmingham Six. On one occasion when I was arguing in favour of not renewing the Act, I said—I freely admit this—that the Birmingham Six had been caught by ordinary police methods. That was before all the horrible evidence about how they had been treated came to light. However, where people have been caught, they have generally been caught not by virtue of those powers, but by normal good police work. As that is so, we must look carefully at the sort of powers that we are giving.

I now leave my "Apologia pro Vita Sua"—and, in retrospect, one for my hon. Friend the Member for Blackburn too—and turn to the reasoned amendment. We have already dealt with at length, so I shall not repeat to the House, the arguments about the time provided to discuss the Bill and the manner in which it has been introduced. Those arguments stand on the record.

However, I shall take up one point—the claim that less time was given for discussing amendments when the original Act was passed than has been allowed with this Bill. That is not the case. Less time was in fact taken up, but there was no limit on the time that could have been used—whereas here there is a specific and direct time limit for dealing with matters connected with the Bill.

My second point arises from the issue that I raised before—the danger of alienating a generation. My hon. Friend the Member for Blackburn says that the proposed powers are very different from the sus laws. Indeed, judging by the way in which he describes the sus laws, that is correct; nobody doubts it. However, the phrase "the sus laws" has come to have a meaning different from the precise meaning that my hon. Friend used. It was associated with the arbitrary stopping and searching of people.

Clause 1 asks us to support the arbitrary power to stop and search people in a designated area, without giving any reason. My hon. Friend says that the police—because we can all trust the police—would not dispose of their people in an arbitrary fashion to behave in that way. I wish that that were true. I am sure that it would be true when the original decision was taken, but it would not apply to the individual bobby on the beat who took part in the searches.

We know from the cases that come up in the London metropolitan area how such powers have been used. My hon. Friend the Member for Islington, North (Mr. Corbyn) has already drawn the attention of the House to the disproportionate number of black people in cars who are stopped within the cordons that already exist—a point that my hon. Friend the Member for Blackburn has already accepted.

Mr. Straw: I am following my hon. Friend's argument with some care. If his arguments about section 13B are so strong, they must also have applied to section 13A, which raises exactly the same issues with respect to the occupants of vehicles. So could my hon. Friend explain why, when the Criminal Justice and Public Order Act 1994 was before the House under the usual procedures—its passage took not one day but four months—he raised no objections on any occasion to section 13A?

Mr. McNamara: The answer is simple: examples have now been given by my hon. Friend the Member for Islington, North of the way in which section 13A has been used and abused.

Mr. Straw: There is no evidence whatever that section 13A has been abused. The figures that I gave, and those to which my hon. Friend the Member for Islington, North (Mr. Corbyn) referred, relate to powers contained within ordinary criminal justice legislation, which give the police the power to stop and search people on reasonable suspicion. I have not been made aware—nor, I believe, has my hon. Friend the Member for Islington, North—of any evidence of abuse of that power. Indeed, it has been used on only one occasion—following the Canary wharf bomb on 9 February.

Mr. McNamara: I take my hon. Friend's point, but let me carefully explain that we do have evidence that where there has been reasonable suspicion, most people who

[Mr. McNamara]

have been stopped have been people of Asian or Caribbean background. Within a designated area the police have the power to stop and search people without rhyme or reason. The Home Secretary can, if he wishes, prevent that from happening—but, judging by past evidence, that is unlikely to happen. That is what happens with reasonable suspicion.

Secondly, and more important, young people are the ones who will be stopped—perhaps coming back from a dance or out with their girlfriends or boyfriends—and be subjected to a search. We know from our experience in Northern Ireland that those stop-and-search powers have had an alienating effect on the attitudes of young people from both communities and in both areas to the forces of law and order.

We are creating exactly the same phenomenon that followed the trawls that took place under the terms of the original legislation. We are therefore in a dangerous position. Regardless of the operational reason for the exercise, the ordinary bobby on the street, acting with such powers, may use them to pick up specific people for other reasons. When the Home Secretary was asked yesterday about whether, if evidence of other crimes were found, it would be used, he said yes. Given the proposed powers, the temptation for the police to go in that direction is well understood, and I believe that it would be followed.

Mr. Alun Michael (Cardiff, South and Penarth): I think that my hon. Friend is getting confused. He has referred to people being stopped not under the powers in the Criminal Justice and Public Order Act 1994 but under those in other legislation. So far as I am aware, the powers in the 1994 Act were seen as reassuring, rather than the reverse, by people in London. My hon. Friend alleged that young people would be stopped and subjected to searches, but there is no suggestion that that has happened as a result of section 13A, which was added to the Prevention of Terrorism (Temporary Provisions) Act 1989. On what basis does he make that suggestion? He seems to have plucked it out of the air.

Mr. McNamara: On the basis of what has happened in Northern Ireland. My hon. Friend should be aware of that. Under the stop-and-search powers in Northern Ireland, it is young people who have been stopped.

Mr. Michael: My hon. Friend has confirmed that he is getting confused. When we debated what is now the 1994 Act, we raised precisely those issues. I asked during our debates on that Act how we could be reassured that those powers would not be used disproportionately on people from ethnic minorities and on young people. We were given reassurance, and protections were built in. The provisions before us today share the protections and provisions of the 1994 Act, precisely because we raised those issues.

Mr. McNamara: With the greatest respect to my hon. Friend, the point that I am making arises from legislation in Northern Ireland, and the effect of the stop-and-search power. That power has not existed in Great Britain, which is why it now appears in the Bill, and why I am drawing the attention of the House to the defect, and its likely consequences.

Finally, I shall deal with the right to establish a cordon. I do not believe that anybody can argue about the other matters in the Bill—the parking restrictions, the power in respect of non-residential buildings, and the power to search non-accompanied cargo. However, a letter from my hon. Friend the Member for Blackburn and the Opposition Chief Whip says that the power in question is designed

"to enforce a cordon around a bomb warning area."

It is true that that is part of the power contained in the Bill, but the power goes far wider than that.

Nobody could possibly object to giving the police or anybody else power to establish a cordon around an area where there was a suspected explosive device or to establish one afterwards to protect people or for necessary forensic work to be carried out. But the power goes far wider than those purposes and is

"in connection with an investigation into the commission, preparation or instigation of an act of terrorism"

to which the Act applies, and it can be in relation to any political violence.

Mr. Straw: I am sorry; I simply do not begin to understand my hon. Friend's arguments. Is he seriously suggesting that if the police believe that there has been

"the commission, preparation or instigation of an act of terrorism"—

which, I remind my hon. Friend, usually results in a loss of life, maiming of innocent people and serious damage—the police should not be entitled to put a cordon around an area for their protection and to further their investigation into who has committed the act?

Mr. McNamara: My hon. Friend should have listened very carefully to what I said. I said in particular that if there had been a bomb or a device that was likely to go off or had gone off, a cordon was necessary to protect people. I argued that we were examining not just the issue of explosives or immediate danger to limb; the Bill provides a far wider power, and many other powers follow from it, such as authority for searches.

My hon. Friend the Member for Denton and Reddish (Mr. Bennett) asked the Home Secretary how, if there is a cordon, we can be certain that it will not be abused by the police and used to avoid getting a warrant to enter premises. The fact is that that necessity can be contravened.

I believe the power goes far beyond the limitations stated by the Home Secretary and by my hon. Friend the Member for Blackburn in their letter to us. The problem is that my hon. Friend the Member for Blackburn and I are at cross-purposes, with occasional interjections from the Home Secretary, but we do not have time to explore the matters in detail. Ultimately, my hon. Friend and I may be ad idem on these issues, but the argument that is being made is rather slipshod. The Bill's powers are far wider, far stronger and go far deeper than has been suggested in this debate, and the Bill merits far more consideration.

My hon. Friend the Member for Denton and Reddish suggested that some of the powers in the Bill may be contrary to the European convention on human rights. The hon. Member for North Antrim (Rev. Ian Paisley) asked specifically about that point and was told that, should the statute be ruled out by the convention, common law

would still prevail. I was under the impression that common law could be ruled out by the convention, but the hon. Gentleman seemed to consider that answer satisfactory.

The point has been made that the Bill is a codification of powers. The Government are very uncertain about their position, however, particularly in relation to the provision on cordons. Paragraph 10 of the schedule states:

"The powers conferred by this Schedule are additional to any other powers which a constable has either at common law or under or by virtue of any other enactment and are not to be taken to affect any of those other powers."

The Government have suggested that there is some uncertainty about the position in common law. It is their intention to codify it, but, just in case they have gone too far and limited it too much, they intend to maintain the position in common law. That is not good legislation, and it shows the slipshod way in which this matter has been dealt with.

We have been told that the need for the legislation suddenly transpired between last Thursday's Cabinet meeting and today. I do not think it all adds up. I think that much of the legislation has to do with the Government's being in two minds about the issue. The Government have not mentioned an Easter scare or the general security situation, other than references to the continuing threat from the IRA—which is real and live, and which I would not dispute for a moment. It has in fact been my hon. Friends on the Labour Front Bench who have expressed the need for urgency in supporting the Bill.

Labour Front Benchers have urged on us the belief that something is likely to happen over Easter. We have been told that it will be on our consciences if a life is lost that could have been saved had we passed this legislation. But we were told that the IRA planned, prepared and placed its South Quay bomb months before the announcement of the ceasefire breakdown. That must have been done months in advance. The IRA's planning ability—for which it receives credit from the Government—makes one wonder whether, if there is a major incident this weekend, this legislation will have any effect.

There are now cassette-type bombs that can be carried in coats, but we cannot subject people to intimate searches. If an area is designated, that may prevent people from going into the area, but it will not prevent incidents involving cassette-type bombs from happening elsewhere. I find that argument very strange. If I felt that the power to cordon areas would be effective and that it was necessary and not likely to lead to harassment of individuals or groups—having particular regard to the concern expressed by my hon. Friend the Member for Preston (Mrs. Wise) about women and searches and to the technical point raised by my hon. Friend the Member for North–East Derbyshire (Mr. Barnes), which might cause problems—I might be prepared to give the Government the benefit of the doubt.

I have not been convinced by the Government's reasons for the necessity of this legislation. I do not think that the House should be pressurised into passing a far-reaching measure affecting civil liberties, which is concerned not only with the Irish situation but with terrorism generally, as the hon. Member for Basingstoke (Mr. Hunter) pointed out. The Bill will not merely affect London or the home counties; it could apply in Bradford, Leicester or Hull, where an area could be designated. These powers could be abused because there are no reasonable grounds for considering their operation, not even any semblance of judicial review. The person who has to be satisfied in all these cases will be the same person who felt that the powers were necessary—the Home Secretary. I do not think that it adds up.

8.48 pm

Sir Ivan Lawrence (Burton): The assumption behind the rather long and rambling speech of the hon. Member for Kingston upon Hull, North (Mr. McNamara) that the police have called for the improvements in the anti-terrorist legislation in order to harass ethnic minority groups or anybody else is too ludicrous for words. The legislation is framed specifically to combat terrorism. It bears no relationship to any law that used to exist and which was used to harass ethnic minorities or anyone else.

The hon. Member for Blackburn (Mr. Straw) is always at his best when he agrees with us. I seem to remember, however, that when he last agreed with us about the prevention of terrorism legislation that we debated the other day, he ended up abstaining when it came to the vote. I did not hear him say tonight that he intended to vote with us. I hope that we can have some suggestion from the hon. Member for Cardiff, South and Penarth (Mr. Michael) that all his hon. Friend's good, supportive words for the Bill mean that the Labour party will vote with the Government on the Bill.

The hon. Member for Kingston upon Hull, North once again floated the kite—rather more of a hare—that the terms of the European convention on human rights will be opposed to the Bill. A lot of people here do not care too much what the European Court of Human Rights or the European convention on human rights say about the Bill, but I can reassure him that any legislation that a nation state considers to be important and necessary for the curtailment of terrorism is not opposed by the European convention on human rights.

Legislation does not stop terrorism, but if it gives the police necessary powers, it can help to prevent some terrorism. If it becomes easier to catch terrorists and put them out of harm's way, that can help to deter them.

Mr. Bennett: Does the hon. and learned Gentleman accept that when we dealt with the PTA about three weeks ago, the Government had to move an amendment because they had been found to be in breach of the European convention?

Sir Ivan Lawrence: All I can say is that I do not suppose for one moment that the Bill is likely to fall foul of that convention. Even if it did, I do not suppose that anyone in the country would think it at all wrong for us to maintain our position in the face of whatever ruling might be imposed upon us by a foreign court that is not subject to the kind of pressure to restrict terrorism as that faced by us and the rest of the British people.

The House must consider whether the Bill gives the police powers that they do not already have, and powers that they need, and whether the public will be content with such legislation, even if it does mean some inconvenience to honest, decent law-abiding citizens. Quite frankly, I think that the public will be astonished to learn of the lacunae that have caused the Bill to be

[Sir Ivan Lawrence]

introduced. They will be astonished to discover that the police can stop and search any vehicle, driver, passenger or even pedestrian if he or she is carrying a bag, but that they are not allowed to search that person's coat, jacket, shoes or other item for articles connected with terrorism. The British people will want that power to be given to the police, and they will want that power to be given to them now, before it is too late.

The British people will be astonished that the police do not have the power to search non-residential premises, given that they have the right to search residential premises. It is obvious that terrorists can hide away bombs and other articles connected with their miserable trade in lock-up garages under railway arches. The fact that we do not have a law to enable the police to search such premises adequately will be astounding to ordinary people in our society. They want the police to be given that power, and they want them to be given it now.

The public will also be astonished that the police do not have the same powers as customs officers to search unaccompanied container lorries left at ports.

Mr. Peter Bottomley (Eltham): That is astonishing.

Sir Ivan Lawrence: Yes, it is. People will want the police to be given that power now, before it is too late.

The public will also be astonished to learn that the police are not able to cordon off an area while they are looking for a bomb or to impose temporary parking restrictions outside Government buildings and royal buildings. I thought that the police had always had such powers, and it is amazing for us in Parliament, and just as amazing to people outside, to learn that they do not have them. The people will want the police to have those powers now, before it is too late.

If those powers do not exist now, surprisingly and astonishingly, they need to exist, and I am sure that the public will give full-hearted support to them. After all, the protection of citizens and visitors to our country—tourism is an important part of our industry and trade—from death and mutilation is one of the clearest responsibilities of Parliament and has been recognised as such by all responsible parties in the House.

Despite his denial, it must be very embarrassing for the hon. Member for Blackburn that between 30 and 40 of his supporters do not believe that those additional powers are necessary. They would like us to take so long discussing them, day after day, or week after week, or month after month, that the terrorists could get on with exploiting the lacunae in the law in order to bomb more of our territories.

Certain Opposition Members argue that the threat to the civil liberties of the individual outweighs the threat to the civil liberties of the entire nation. That majority, however, has a right to feel safe and to be safe. An Opposition amendment calls for the word "reasonable" to be inserted instead of "expedient"; another that the word "pedestrian" should be followed by the words "or cyclist"; another states that

"a constable shall be regarded as in uniform only if his identification number is clearly visible";

and another states:

"any person so stopped shall on being stopped be given the warrant number of the constable stopping him.".

That is all interesting stuff, but not when we are dealing with terrorists who blow people and their property to pieces. I accept that those amendments may be important to some Opposition Members, but they are not important to most people in this country.

I am concerned about civil liberties. All my legal life has been dedicated to them and I do not take any lectures from anyone in the House about the need for civil liberties. But there are civil liberties and civil liberties—*[Interruption.]* I note that the hon. Member for Cardiff, South and Penarth is getting angry. I wonder why, if he is so supportive of the Bill.

Mr. Michael: This is a pathetic speech.

Sir Ivan Lawrence: I can understand the hon. Gentleman being irritated that so many of his colleagues—between 30 and 40 of them—intend to divide the House against the Bill because they think that it is unnecessary. I can understand him being embarrassed. As I said, there are civil liberties and civil liberties, but some civil liberties are more important than others. The civil liberty of the individual's right not to be searched is one thing, but the right of the British public to walk freely in the streets without bombs is the greatest of civil liberties.

As my hon. Friend the Member for Basingstoke (Mr. Hunter) has said, it is difficult to see why some Opposition Members can complain that the Bill will infringe civil liberties. The stop-and-search powers can be used only in limited areas and only for 28 days, and then only with the authority of the chief constable or an assistant chief constable. A prosecution can be brought only if the Director of Public Prosecutions says so. Non-residential searches can be carried out only with a magistrate's warrant, if it has been applied for by a superintendent, and it can last for only 24 days. We know that these provisions are useful and that they can work because they work in Northern Ireland—and the only one that has not applied to Northern Ireland will now be applied under the legislation.

The public have a right to expect more protection—and they have a right to expect it now. The police, on our behalf, have a right to expect these powers—and they have a right to expect them now, because they are at the front line of our defences.

I feel sorry for hon. Members who lead for the Opposition because their colleagues have asked questions such as: why are so many people being stopped and so few people being charged? They have a blind spot about the fact that if these pieces of legislation are in place, they are a deterrent to the kind of terrorism and activity that goes on. There is a much more practical side to these provisions than interference with the civil liberties of individuals.

Mr. Gerrard: Will the hon. and learned Gentleman give way?

Sir Ivan Lawrence: No, I shall not give way to the hon. Gentleman. Time is short because his hon. Friend the Member for Kingston upon Hull, North made a long speech.

Who will be most unhappy when the legislation is passed? That question can be answered in only one way: the terrorists. That justifies the legislation.

Let us pray that one day there will be no terrorism and that the need for these powers will disappear. We shall then be able to withdraw the powers when we come to debate the prevention of terrorism legislation, as we do every year. I look forward to that day, and it will come more quickly if we have this legislation. At the moment, we live in sad and dangerous times which make this legislation necessary. Hon. Members must support it: if they do not, they will be betraying the people of this country who sent them to this place.

9.1 pm

Mr. A. J. Beith (Berwick–upon–Tweed): The hon. and learned Member for Burton (Sir I. Lawrence) expressed astonishment on behalf of the public that all of the powers in the Bill are not already on the statute book. He is a practising lawyer, he is Chairman of the Home Affairs Select Committee and he is prominent in his party. The Government have been in power for 17 years and they have introduced criminal justice legislation and prevention of terrorism legislation every year, including a Bill three weeks ago. It is therefore a bit much for the hon. and learned Gentleman to express astonishment that these powers are not on the statute book. It has taken the Home Secretary a little time to make up his mind whether the legislation is desirable and he has left the House with almost no time at all to work out whether it is desirable.

I start from the assumption that the IRA is likely to plant a bomb at any time, an assumption that I continued to hold during much of the ceasefire as I am very suspicious about its intentions. None of our security forces should be varied simply because ceasefire discussions are in process; they should be varied only when we perceive that the security threat has diminished. That is the background against which I judge this legislation. I therefore think it quite reasonable that the police should seek to clarify the powers within which they carry out searches, cordons and other activities referred to in the legislation. I insist that, for the most part, these are things that they do now but which they need greater clarity to do.

In the limited time available to us in Committee, we have to ask: does the legislation achieve that purpose? Does it do so with unnecessary restriction on civil liberties? Could it be improved so that it serves its purpose better or so that it places less limitation on civil liberties? Could there be more effective safeguards? Because we believe that the police are right to seek more effective powers and that the Bill represents a reasonable attempt to do that—give or take improvements that we might make—Liberal Democrats will vote in favour of the Second Reading of the Bill; we shall not abstain.

I refer to the specific features of the Bill. The stop-and search-power is restrictive—it needs to be authorised for a given area and it is limited to 28 days. The worry is that it is not related to the belief that any individual being searched is carrying materials likely to lead to a terrorist act. When one creates a cordon or tries to deal with a situation in which one expects a bomb to be brought into an area, one has to search a large number of people who one knows very well are not likely to be carrying it. One has to carry out a general search in those circumstances. It is important to be clear that one does that only if there is an apprehension that a bomb is likely to be brought into the area, on the basis of intelligence information or something of that kind. General searching would not otherwise be justified.

There are then powers for a general search of non-residential premises on a magistrate's warrant. Such searches must be exercised with care as it would be seriously counter-productive to lead an entire community to believe that it is being targeted because a warrant is issued to search every garage in the area. On the whole, the public are very supportive of that type of activity—indeed, they are pleased to see the police making a careful check—but the power might be counter-productively used in some circumstances and should therefore be exercised with care.

Obviously, something should be done to give powers to deal with goods on an aircraft or ship not carried by a passenger, but some of the provisions are slightly worrying. For example, subsection (2) of clause 3 creates an offence of seeking

"to frustrate the object of . . . a search".

I can imagine the fury that would be generated in the luggage collection area of an airport if passengers were unsure whether their luggage had been delayed by the baggage handlers, the airline or a security firm searching it on behalf of the police. I have seen irate people complain vigorously to airline staff in those circumstances. If they are then told, "Any more cheek like that and you will be charged with seeking to frustrate the object of a search," relations between the police and public might be impaired. I am therefore worried about the formulation of that offence.

There are also anxieties about precisely who in Scotland is authorised to use reasonable force in seeking to carry out a search. It appears on the face of the Bill—my hon. Friend the Member for Orkney and Shetland (Mr. Wallace) will wish to refer to this if we are allowed to reach that point in Committee—that persons who are not police officers will be authorised in Scotland to use reasonable force when carrying out a search. That will include persons who are not trained in the restrained use of force, and it needs to be clarified.

Clause 4 and the schedule, which deal with cordons, are very sweeping. They allow cordons to be maintained for 14 days, and on extension for 28 days, which is far more than one is accustomed to in these circumstances. Police cordons are usually of fairly short duration. They present problems, and must be handled carefully.

A school party from my constituency came down to London and visited me the other week, when there was a bomb in the west end. They were in a café having a cup of tea. They were all evacuated from the café, but the teacher had great difficulty persuading the police—indeed, I believe that she did not succeed—that she should be allowed to collect one of the girls, who had gone to the toilet. So they were faced with the possibility of all being evacuated from the café, leaving one bewildered girl in the toilet of an empty café in a strange capital city, with no one from whom to find out where to go. Those powers need to be exercised with considerable care.

Dr. Robert Spink (Castle Point) *indicated dissent.*

Mr. Beith: The hon. Gentleman, who claims to be a parliamentary private secretary, shakes his head. Does he not realise that young people and children are especially vulnerable in such circumstances?

[Mr. Beith]

The provisions about parking appear obvious and sensible for most people, but we must consider the position of someone who might be required to move a car when he would be placing himself in danger, or believed that he would be placing himself in danger, in order to do so. If a police officer tells someone, "Go and move that car because we think that there is a bomb in the car next to it," the person concerned is in a position to say, "I would rather see my car go up than go up with it." The use of that power needs to be clarified, as does its use in relation to disabled people.

It is not clear what other police forces are involved. I was surprised that the Home Secretary appeared to say that every private police force in the country, including those run by private enterprise organisations such as ports, will be brought within the ambit of the Bill. It does not say so on the face of the Bill. Indeed, the only definition of police officers in the Bill is in clause 5, which refers to police officers

"of a force maintained for any other police"

force area. That does not sound to me like the Tilbury docks police or even the Royal Parks constabulary.

Those are illustrations of the problems of dealing in haste and without a proper Committee stage with a very technical Bill. That is why we should have more time and why the Committee stage should have been set out with time for each clause. We nevertheless believe that the Bill should have a Second Reading and we shall vote accordingly. We will therefore vote against the amendment declining to give a Second Reading to the Bill.

9.7 pm

Mr. David Wilshire (Spelthorne): Both the Bill and the procedures that we are using raise two separate issues, and there are two distinct ways of looking at both. One can either look at those issues in a detached philosophical way and have a debate about the theory of such things as civil rights, or one can look at them in a personally involved way and have a debate about how to protect innocent people.

I make no apology for looking at the Bill in a personally involved way, because I feel personally involved. Along with all others in the House and outside the House who are caught up in Northern Ireland affairs, it crosses my mind from time to time that I too might be a terrorist target. It is hardly surprising, when someone thinks like that—and thousands of people do—that such people feel personally involved and, when it comes to debates of this type, place public safety first, before all other matters.

I also feel involved on behalf of my constituents. Hon. Members should remember that Spelthorne residents have seen terrorism at first hand. They have seen mortars fired from the edge of a housing estate in Stanwell on to the runways of Heathrow airport and they have seen mortars fired from outside my constituency into the part of the airport that is located within it. Thank God none of those mortars exploded. It is hardly surprising that my constituents also feel personally involved and seek to put public safety first in the debate.

I shall give the House another example of my constituents' involvement in the debate. Only last week, when a group of children and teachers from an infant school in my constituency came to Downing street to receive an award and to celebrate and enjoy themselves, worried parents sought reassurance from the head teacher about the terrorist threat in Whitehall. It is hardly surprising that my constituents feel personally involved in the situation and want to see public safety put above all other considerations. It makes the protection of life and limb a prime duty of the House at all times and a particular duty when considering the legislation tonight. Therefore, I approach every part of the Bill and of the procedure with that in mind.

If one feels personally involved in an issue such as this, it colours how one looks at philosophical issues such as civil liberties. I shall explain how I approach it and how I believe that my constituents deal with the question of civil liberties. I am proud to live in a liberal democracy; I am proud that our society is founded on the rule of law and is underpinned by a belief in the supremacy of individual human rights. I defer to no one and I shall take lectures from no one regarding my commitment to those fundamental principles: the most fundamental of which is the individual right to life—the very principle that the terrorists challenge at every turn.

If we believe that, we dare not overlook one of the weaknesses of the high-minded, principled approach. If societies use such principles to run their normal affairs, they find it very difficult to handle those who seek to undermine the fabric and the principles upon which the societies are based. The people who seek to undermine those principles often view those very principles as a weakness. Therefore, they treat them with contempt and they do not accept, as the rest of us do, that we should be bound by a common respect for civil liberties and for human rights.

I believe that that is the practical challenge confronting those who wish to philosophise—as we have heard tonight—and who want to focus on general civil liberties. Terrorists do not respect civil rights. That fact is evidenced by the spate of murders that occurred in Northern Ireland over Christmas. On those occasions, we are told that Sinn Fein-IRA decided to conduct investigations, but it did not tell anyone what it discovered—there goes the first civil right. Sinn Fein-IRA then decided to act and to behave as judge and jury based upon its investigations. It gave the people whom it decided to judge not a moment in which to defend themselves nor any right of appeal—there go more civil rights. Sinn Fein-IRA acted as the executioner as well as the judge and the jury, giving people no chance for redress or to be heard before they were murdered. Where is the civil liberty in that action? How can we treat people like that in the same way as we treat others going about their daily lives?

I judge that those evil people place themselves outside normal society and deny themselves the privileges that membership of such a society confers on the rest of us. The vast majority of those whom I represent willingly accept that if effectively dealing with those evil people involves the temporary inconvenience of the rest of us or the temporary interruption of some of our rights, so be it. That is the public view. We are quite prepared to pay that price to maintain life and limb.

I turn briefly to the two issues that are raised by the business before the House—the need for five new powers and the speed of enactment. Let me deal first with the five new powers. I suspect that there is little need to say much

more because every twist and every turn has been explored by the exchanges between Labour Members and it ill becomes me intrude on the private grief of the Labour party as it tries to sort itself out.

I judge that four of the five powers do not raise significant civil liberties issues. In regard to searching freight, customs officers do it and I am amazed to discover that the police cannot. Setting up cordons and placing restrictions on parking are probably covered by the common law, as I understand it, but if they are not, they should be placed on a statutory footing—we are not seeking to change anything, only to clarify it. As for searching premises, it is a nonsense if, after a terrorist has killed himself in a bomb explosion on a bus, the police are entitled to search his home and the homes of his friends, but do not have the power to search the non-residential premises where terrorist weapons and explosives may have been stored. If that is the position, the quicker we sort it out, the better.

Only the fifth power—the searching of pedestrians—needs a little more exploration. Anybody who has witnessed what, sadly, we see every day of the week—the vehicle and occupant searches in the streets around the Palace of Westminster—will know only too well what is involved. It is entirely proper that we should spend a moment or two asking ourselves whether we want to inflict that experience on pedestrians as well as on the occupants of vehicles.

I conclude quite simply that given the sophistication of today's terrorist and the ability to conceal items in a coat or jacket pocket rather than in a vehicle, and given the loopholes in the law that have been identified, it is total nonsense to contemplate continuing to allow the police to search vehicles and their occupants, but not to search pedestrians. I understand only too well the concerns that have been expressed by Labour Members, but I am reassured—as I understand are Labour Front-Bench Members—by the safeguards that have been spelt out by my right hon. and learned Friend the Home Secretary and others. Given those safeguards and the current position, I believe that the fifth power is indeed necessary.

Finally, let me turn to the legislative haste. It would help to reassure the House if the Under-Secretary of State for the Home Department, my hon. Friend the Member for Leeds, North-East (Mr. Kirkhope), could say a little more about the reasons for that haste. As someone who is closely involved in Northern Ireland affairs, I suspect that the explanation for that lies in the confidential security briefings given to a select and privileged few and not shared with the remainder of us. Can my hon. Friend confirm that inquiries following the Canary wharf and Aldwych bombs led directly to the Bill? Although I do not want or expect anyone to give us the full details in public, it would help the House if my hon. Friend could confirm that the new security information that has come to light in the past few weeks has made it imperative that we act before Easter.

It gives me no pleasure to support this Bill, nor do I enjoy using procedures of this sort. But I have absolutely no doubt where my priorities lie. They are these: to seek the safety and security of the innocent citizens of this country, and to put them above all else. Faced with a clear, renewed threat from those who are prepared to kill and maim in the furtherance of their twisted ideology, faced by evil people who despise democracy and who are prepared to treat civil liberties with contempt, and faced with clear advice that extra powers are needed now, I arrive at the simple conclusion that this House has no choice but to act swiftly and decisively.

9.20 pm

Mr. David Trimble (Upper Bann): As has been said a number of times today, we in the Ulster Unionist party will be supporting the Bill. Most of it applies to England and Wales, but we particularly welcome clause 3, which extends to Northern Ireland. The terms of clause 3 remind me of the incident in the summer of 1994, just before the ceasefire, when a large bomb was intercepted at Heysham, en route, we believe, to London—possibly to Canary wharf. It was larger than the one that went off in Canary wharf on 9 February. That clearly underlines the need for the relevant power to be clarified.

The power already exists for Customs and Excise to search goods in transit, but the Bill clearly gives the police in all parts of the United Kingdom the power to act too. That is wholly appropriate.

Although we support the Bill, we take the view that, if anything, it does not go far enough. There is a need for more comprehensive legislation on a UK basis. That becomes apparent when we reflect on what happened with the bomb at Canary wharf. While we cannot know for certain—there is an element of supposition in what I am about to say—the signs are that the bomb that went off there was constructed by a small team in the IRA based on what it calls its GHQ units, with persons drawn from its England department—people located in the Republic of Ireland, some of Northern Ireland origin but all domiciled in the Republic and operating from there.

The bomb was made by a small, tightly knit group composed of these elements and then loaded on to a truck which had been the subject of some engineering work in the Republic. It was then run through Northern Ireland, southern Scotland and England to London, where it was primed and put in position.

Bearing in mind this sequence of events and the fact that there was no intelligence warning before the bomb went off, there are certain questions that need to be asked. First, why was there no intelligence warning? Part of the answer lies in the way in which the IRA operated. It did not involve people domiciled in Northern Ireland because it rightly believed that, were it to do so, the security forces in Northern Ireland would have got wind of what was going on. So it operated purely inside the Republic, where the Irish police missed what was going on. We have reason to believe that they missed it partly because they had ceased surveillance of key IRA personnel during the ceasefire in response to the act of faith on the part of the Irish Government that the ceasefire would be permanent. That led to a relaxation of vigilance.

There are lessons to be drawn from this. The bombers ignored the administrative and legal boundaries in the United Kingdom. The bomb went off in London but started its life south of the border in the Republic of Ireland; and its movement through the United Kingdom involved not just Northern Ireland and Scotland, but I know not how many police force areas in England and Wales. That is a reason for us to reconsider why we have so many administrative and legal boundaries.

There is not much sense now in maintaining a separate anti-terrorist code in Northern Ireland and one in the rest of the United Kingdom. The terrorists do not recognise

[Mr. David Trimble]

those boundaries and we should not be limited by them. That underlines the reason for a single Act covering Northern Ireland. When I suggested that in my question on the statement yesterday, the Home Secretary rightly referred to the Lloyd review, but the review's terms of reference direct it to consider the legislation that would be necessary on the basis that the peace was permanent. We now know that the peace is not permanent, so the existence of the Lloyd review may not be a good reason to fail to consider what is needed by way of comprehensive legislation throughout the United Kingdom.

I bear in mind also the valid point made by the right hon. Member for Old Bexley and Sidcup (Sir E. Heath) a couple of years ago when the first major bombs occurred in London. The right hon. Gentleman called for a single Cabinet Minister to be responsible for the anti-terrorist drive throughout the United Kingdom. We need to reconsider that point.

The circumstances of Canary wharf again underline the need for effective surveillance, especially in the Republic of Ireland. The Republic's capability is limited, partly by lack of resources. I notice that recently, after the middle eastern bombs, the United States Government have made available substantial sums of money to enhance the capability of the Israeli Government in bomb detection and surveillance. That is an interesting precedent. I know that the United Kingdom Government have in the past offered similar assistance to the Irish Government which, for a variety of reasons, they have refused. Perhaps one might suggest to the Government of the United States that they might make an offer to the Irish Government that they could not refuse. Such an approach might be fruitful.

Mr. William Ross (East Londonderry): Does my hon. Friend agree that his latter comment is given added force by the fact that the Government of the Irish Republic have recently had to move so many police officers to the border to prevent the smuggling of cattle as a result of the BSE scare and, therefore, their need for financial and other assistance from the United States is even greater than it was 10 days ago?

Mr. Trimble: That is an interesting comment by my hon. Friend and it could give rise to a number of comments about the exertions of the Irish authorities to ensure that their cattle are not affected in comparison with their comparative lack of exertion to protect the lives of human beings in Northern Ireland and the United Kingdom.

Mr. Soley: If the hon. Gentleman wants to win support from people in this country, it is important that he understands that attacks of that type on the Irish are totally counter-productive, not least because the Irish Government and the Irish people spend more per head of the population on the fight against terrorism than the British people. The Irish Government do that not least because they have put immense effort into trying to defeat terrorism that was born and bred in Northern Ireland.

Mr. Trimble: The hon. Gentleman has completely misunderstood the point that I was making. I think his comment was quite inaccurate. I hope that he will read *Hansard* tomorrow to see what I have said. If he considers *Hansard* carefully, he will see that it was not accurate of him to characterise what I have said as an attack on the Irish people. When he makes the point about the involvement in anti-terrorist activity and the greater burden on the resources of the Irish Government, that merely reinforces the point that I made earlier about the need to enhance their capability. If the Irish Government are not prepared to accept assistance from the United Kingdom Government, perhaps they would accept assistance from other sources.

Mr. Soley: Will the hon. Gentleman give way?

Mr. Trimble: No, I shall not give way again because time is limited. I have replied to the hon. Gentleman's point and, having done that, I shall continue.

Rev. Martin Smyth (Belfast, South): Does my hon. Friend agree that during the so-called peace and truce there was mortar bomb testing in County Monaghan and nobody was apprehended for it?

Mr. Trimble: Yes, indeed.

Rev. Ian Paisley: Will the hon. Gentleman give way?

Mr. Trimble: No, I will not. I am sorry, but time is limited and the winding-up speeches must begin shortly. I have given undertakings in that respect which I shall struggle to maintain.

However, I wish to make one final comment about the Irish Republic which is interesting in this context. Comment has been made about infringement of civil liberties, and people have mentioned the Criminal Justice and Public Order Act 1994. At the moment in the Irish Republic, what is called the right to silence is being widely questioned at many levels in southern society, and restrictions on that right similar to those that were introduced here may be applied there. The Home Secretary may be interested to learn that the Irish Government propose to introduce a power to detain suspected drug traffickers for up to seven days. If the Irish Government have found a way to reconcile that with the European convention on human rights, the Home Secretary might like to follow their example so that we shall no longer need the Brophy derogation.

Since the Aldwych bombing in which the bomber was killed, there has been a pause in IRA activity here. That incident undermines the point made by the hon. Member for Kingston upon Hull, North (Mr. McNamara), who said that security force action provoked people and led them to join the IRA. I wonder how that happened in connection with an inhabitant of the small town of Gorey in County Wexford, who was not subject at any time to oppressive behaviour by the British or Irish security forces. However, that is by the way.

The pause since the Aldwych explosion may be due to the fact that finds of explosive material have disrupted the IRA's capability and it needs time to sort out whatever led to the premature explosion and to restock with equipment. However, there are signs that the pause will end. I understand that IRA units in Northern Ireland which have been restive because of inactivity since the declared end of the ceasefire are being told by their leaders that the violence will continue in London first and that they

will then endeavour to provoke loyalists in Northern Ireland, thus leading to a more general resumption of violence. Consequently, greater vigilance in the nation's capital will save lives not only in London but perhaps in Ulster. That is an added reason for our support for the legislation.

Of course we say to those involved in loyalist organisations that, no matter what the provocation, they must show utter and complete restraint. Nothing should be allowed to divert the security forces from the need to maintain order. What happened at Canary wharf and at the Aldwych and other circumstances underline the need to protect not only the targets here but to go to the source and consider ways and means by which we can be more effective in preventing bombs being moved from the areas where they are constructed.

9.31 pm

Mr. Alun Michael (Cardiff, South and Penarth): In their contributions, most hon. Members sought to deal with the Bill sensibly and reasonably. The only exceptions were the partisan comments of the hon. Member for Blackpool, South (Mr. Hawkins) and the ill-judged contribution of the hon. and learned Member for Burton (Sir I. Lawrence), which must have been particularly embarrassing for the Home Secretary, who has not been partisan in dealing with the measure.

I have sympathy for the view expressed by the hon. Member for Spelthorne (Mr. Wilshire): that fear and concern is shared by his ordinary constituents. I have shared that experience because a grandmother attended my surgery last week to ask whether it was safe for her grandchildren to have a day trip in London. We need to offer as much reassurance and protection as we can to ordinary people who have such fear.

I say to the hon. Member for Spelthorne that we must take care because balance is required in providing new powers to the police and other authorities. Our case is simply that we are satisfied with the restrictions that were put in place by the Criminal Justice and Public Order Act 1994 and which apply here. I was greatly involved in the Committee that scrutinised that measure. I seem to have been kept busy on many Bills introduced by the Home Secretary over the past few years. He will know that each of those Bills was carefully scrutinised and challenged in Committee. We try to explore the Government's intentions.

As my hon. Friend the Member for Blackburn (Mr. Straw) said, in examining the Criminal Justice and Public Order Bill we were satisfied, following discussions, that it struck the right balance between the exercise of its powers and the limits that were placed on them to prevent their misuse by the police. That is different from the conditions that existed under the sus laws, as my hon. Friend rightly said.

The hon. Member for Upper Bann (Mr. Trimble) made a thoughtful contribution about the problems across the different parts of the United Kingdom, including Northern Ireland. His speech went well beyond the scope of the Bill. The House will have to return to what he said in due course, but I hope that he will forgive me if I do not follow him down that path now.

What underlies our debate is that people throughout Great Britain have been shocked and appalled by the return to violence. Without that, we should not be faced with our current serious dilemma—the balance between protecting civil liberties in a free society and protecting the safety, liberty and rights of innocent members of the public. We have sought to get that balance right, which is why we support the Bill.

Lady Olga Maitland (Sutton and Cheam): The hon. Gentleman said that he supported the Bill. Will he therefore condemn the 40-odd Opposition Back Benchers who wish to defy him? Does he not agree that their defiance would send a very unfortunate message to those who want to be protected from terrorism, and could constitute an invitation that might be little short of disastrous?

Mr. Michael: The hon. Lady should not follow the partisan line taken by her hon. and learned Friend the Member for Burton. I think that the public will understand what is happening today perfectly well. My hon. Friend the Member for Blackburn has made our position absolutely clear. If there is any embarrassment, it has been created by petty partisan contributions such as that of the hon. and learned Gentleman. There are always hon. Members on both sides of the House who raise issues that are different from those raised by Front Benchers, but important points have been raised, and assurances sought, by Opposition Members who have engaged in a reasonable debate, and it is to their points that I seek to respond.

In general, the Bill clarifies the law and expands on certain aspects of the 1994 Act, rather than introducing draconian new powers. I was surprised by the speech of my hon. Friend the Member for Kingston upon Hull, North (Mr. McNamara), which seemed rather confused. His speech on 28 November 1974, which was referred to earlier, made exactly the point that I am making about the need for strong measures balanced with appropriate safeguards. In his speech today, he predicted that young people would be stopped and searched. I see no justification for that prediction in the Bill as it stands, or any indication that—as he seemed to suggest—members of ethnic minorities have been stopped and searched to a disproportionate extent as a result of the provisions of the 1994 Act. There have been other provisions, and on occasion the police have used their powers in a way that has seemed to affect young people or ethnic minorities disproportionately; that is appalling when it happens, but it does not appear to have happened as a result of the 1994 Act, and I do not think it likely that it will happen as a result of this Bill.

Hon. Members have expressed realistic fears about the way in which police powers may be misused unless the right protections are built in. The police need genuine, meaningful powers to intervene when necessary, and those powers must be protected by mechanisms to preclude their misuse. That is what we want; it is what the police want; it is what the public want; and, I believe, it is what the Home Secretary wants, because that is the sort of point on which he has given us assurances. The public have a right to expect the Home Secretary and the House to get the balance right.

My hon. Friend the Member for Thurrock (Mr. Mackinlay) referred to the powers of non-territorial police forces. I am always slightly unsure how to refer to them—whatever phrase is used seems to leave someone out—but an example is the powers of the British

[Mr. Michael]

Transport police between stations, rather than on railway property. We drew attention to that anomaly during the passage of the Bill that became the Police and Magistrates' Courts Act 1994, and sought to correct it, suggesting that the British Transport police should have the powers of a constable but should exercise them in the support of the local police, or under the supervision of the local police, in such circumstances. That anomaly is not a matter for this Bill, but it must be tackled at some point.

My hon. Friend also referred to the parks police and others. I hope that the Minister will clarify the position. My understanding is that the Bill's powers are in the hands of the territorial forces, headed by the Commissioners of Police of the Metropolis and the City of London police and chief constables of England, Wales, Northern Ireland and Scotland, and not by specialised forces. In general it seems inappropriate for specialised forces to have such powers. I make that point in particular because, in debating the Police and Magistrates' Courts Bill, we found that the long list of police forces included such organisations as the Barnet dog catchers. If we extended the powers beyond the territorial police forces, we would therefore get into difficult territory. It would help if the Home Secretary would clarify the powers.

A number of points appropriate to Second Reading were made by a number of my hon. Friends in the debate on the guillotine motion, which was opposed by the Liberal Democrats and the nationalists. I hope to reassure them by supplementing the comments of my hon. Friend the Member for Blackburn.

Let us consider the powers in the Bill. Clause 1 confers the power to stop pedestrians and search anything carried by them. It extends only to the searching of outer garments. Surely that is not a massive and draconian extension of the powers available to the police.

I can understand how, on first reading the Bill in isolation from the legislation that it amends, my hon. Friends could have come to a different conclusion, but if they read the Bill, the earlier debate and the legislation that it amends, I cannot see how they can conclude that the power is extreme or draconian. It is also subject to the limitations in the existing legislation.

Clause 2 refers to the search of non-residential premises. We all know from our constituencies that garages are often built in rows. It is unreasonable under the present legislation that permission has to be given to search individual premises when there is a more general fear about the use of a collection of premises. That power is hardly major and draconian either.

Clause 3 relates to unaccompanied goods arriving in or about to leave Great Britain or Northern Ireland. With the decline of the capacity of the powers of customs to deal with many cargoes coming into or going out of the United Kingdom—we have certainly seen worrying signs of that in places such as Cardiff Wales airport—it is surely right that the powers, to which clause 3 refers, should be strengthened, as the Bill proposes.

Clause 4 gives the police power to establish a temporary cordon in a police area. The requirements mirror some of those in previous legislation because they require a senior officer to decide that it is expedient to make use of the powers. Clause 4(3) limits it to applying to acts of terrorism connected with the affairs of Northern Ireland.

On the leaving of vehicles on particular premises, I am reminded of sitting in my office, which was then in Old Palace yard, and seeing the van that was used in Parliament street to attack No. 10 Downing street. We are not therefore talking about things that have never happened. Nor are we talking about things that are remote from our experiences in the House. It is reasonable that there should be such powers to tackle danger on occasions when there is seen to be danger.

We have tabled amendments that may encourage the Home Secretary or the Under-Secretary to reassure us about the sensitivity with which the powers will be used and of the Home Secretary's expectations of the way in which the police will exercise them. It is surely in the best interests of the public and of the police that the powers are exercised reasonably, rationally and with sensitivity, and every chief police officer would agree with that. The chief officers with whom my hon. Friend the Member for Blackburn and I have discussed the issues certainly agree with that in relation to this Bill and other terrorism measures.

I assure my hon. Friends who have expressed concern about the Bill that my hon. Friend the Member for Blackburn and I are no less concerned than they are that the limitations on the liberty of the individual and of the public should not be constrained any more than is necessary to give the police the powers that they need to protect the public against those who have no respect for civil liberties or the rights of the individual. In that balanced way, we believe that we are right not to place obstacles in the way of the Home Secretary as he seeks to speed through the House a measure that makes reasonable additions to the powers of the police in dealing with these matters.

9.45 pm

Mr. Howard: We have had a constructive and helpful Second Reading debate. As I have made clear, these are clear and practical measures—they are not revolutionary, but they are necessary. The police believe that and I do so too. If it is too optimistic to hope that all quarters of the House believe it, I hope that at least the overwhelming majority of hon. Members will do so.

My aim has been to meet the real needs of the police, as they have been put to me in my discussions with them in the wake of the South Quay bomb. I have also been careful to consider what safeguards are needed to prevent the risk of misuse, and the combination of authorisation by senior officers, limitations of duration and geographical extent and annual scrutiny and renewal of the rest of the Act provide the necessary assurance. We all recognise that the stop and search of pedestrians is the most sensitive issue, so the power is subject to confirmation or alteration by the Secretary of State.

We have endeavoured to strike the right balance between the powers necessary for the police to do the job that we ask them to do and the freedom of the citizen to go about his business without interference. I hope that the overwhelming majority of hon. Members will agree that we have got the balance right. I was grateful for the support of my hon. Friend the Member for Basingstoke (Mr. Hunter), who, in a robust speech, rightly identified the important part that these powers can play. I am sorry that I missed some of the other speeches, but I agree with the hon. Member for Cardiff, South and Penarth

(Mr. Michael) that the interesting speech made by the hon. Member for Upper Bann (Mr. Trimble) raised a number of points to which we will have to return in due course, but they are not for this evening.

I was grateful for the attitude taken to the powers by the hon. Member for Blackburn (Mr. Straw) and his hon. Friend the Member for Cardiff, South and Penarth. It is important—as I have urged before on many occasions—that as united a signal as possible goes out from the House to show that we are resolved to meet the terrorist threat. I believe that the greater the extent to which we can achieve that unity, the more impressive the signal will be. It is therefore somewhat disappointing that we have not been able to achieve complete unity in our deliberations.

I am sorry that I missed the speech of the hon. Member for Kingston upon Hull, North (Mr. McNamara), but I understand that he repeated some of the points that he made in his speech on the timetable motion and in interventions on my speech and on those of other hon. Members.

I understand that these powers inevitably give rise to concerns. They are, in common with all the powers that we take under the prevention of terrorism Act, exceptional powers. They are powers that are needed exceptionally to meet an exceptional threat.

We recognise that in some instances the legislation gives powers to the police that go beyond what they would require or would be given by Parliament in the normal course of their duties of maintaining law and order and combating crime. We have always recognised that; it was recognised from the outset of the prevention of terrorism legislation. Indeed, as the hon. Member for Blackburn pointed out rather effectively, that point was recognised by the hon. Member for Kingston upon Hull, North during debates on the need for the powers in the original substantive legislation.

Even though people have not always maintained the same position over the years in relation to this legislation, there has been a wide measure of support for it. Against that wide measure of support—against that background—we have introduced the Bill this evening. Although concerns continued to be expressed during our deliberations, even those who expressed them recognised that some attempt has been made to insert the necessary safeguards to try to ensure that the powers are exercised responsibly.

Mr. Beith *indicated assent.*

Mr. Howard: I am glad to see a nod of assent to that proposition from the right hon. Gentleman, whose speech I was sorry to miss. I understand that he said in that speech that he would support the Bill on Second Reading.

We are still somewhat on tenterhooks to know what attitude the official Opposition will take when we go into the Division Lobbies, if there is a Division on Second Reading, because we do not quite know whether the Labour party will abstain or vote in favour of the Bill in that event.

Sir Ivan Lawrence: We would like to know.

Mr. Howard: Indeed, as my hon. and learned Friend points out, we would like to know.

I have paid tribute to the hon. Member for Blackburn on more than one occasion this evening; I hope that I have not embarrassed him unduly by doing so. It is difficult to see, in the light of his speech and the speech by the hon. Member for Cardiff, South and Penarth, how Labour could do anything other than come into the Lobby with the Government if there is a Division on Second Reading. I do not believe that any other course would remotely make sense.

Mr. Mackinlay *indicated assent.*

Mr. Howard: If hon. Members are still weighing up how to vote and what action to take at that point, they may derive some comfort from the nods given to that proposition by the hon. Member for Thurrock (Mr. Mackinlay) and others who clearly agree that the only approach consistent with the observations made by the hon. Members for Blackburn and for Cardiff, South and Penarth is to vote with the Government, if we have a vote on Second Reading. I am sure that there will be a vote and I think that there is unanimity about the proposition that I have just advanced. I see, however, no vigorous nods of assent from the hon. Members for Blackburn and for Cardiff, South and Penarth, and they show no great disposition to answer the question posed by me and my hon. Friends.

I was sorry to have missed the speeches by my hon. Friend the Member for Spelthorne (Mr. Wilshire) and my hon. and learned Friend the Member for Burton (Sir I. Lawrence). I am sure that I would not have shared the view of the speech by my hon. and learned Friend that was expressed by the hon. Member for Cardiff, South and Penarth. Although the hon. Member for Cardiff, South and Penarth and I are old sparring partners, even I draw back from taking issue with him about the contents of a speech that I did not hear. I shall not take up the cudgels with the view that he expressed, although I am certain that if I had heard my hon. and learned Friend's speech I would not have agreed with the hon. Gentleman's strictures.

The Government's job is to safeguard the ability of law-abiding citizens to go about their business in peace. The terrorist strikes directly at that prime responsibility. It must be our duty to take every reasonable measure to frustrate the terrorist's plans and to bring him to justice. As has been said, that may sometimes mean some inconvenience to the public, which we all regret. There can be few people who would object to some occasional inconvenience if that is the price of tightening the screw on terrorists who threaten disruption. That point was made by my hon. Friend the Member for Macclesfield (Mr. Winterton) earlier and I endorse it.

Sir Michael Shersby (Uxbridge): Does my right hon. and learned Friend agree that the best guarantee that the House has that these powers will be exercised responsibly is the sheer professionalism and training of the British police service? The public have every right to expect a professional approach to the exercise of the powers.

Mr. Howard: I entirely agree with my hon. Friend. His point is very important because it illustrates that some of the concerns that have been expressed by the Opposition are somewhat remote from reality and have not given credit to or taken into account precisely those qualities of

[Mr. Howard]

the police to which my hon. Friend has drawn attention. The police would have nothing to gain from exercising the powers with anything other than the circumspection and sensitivity to which I referred when I made my statement yesterday. The police have exercised the powers that are available to them under the prevention of terrorism Act with that circumspection and sensitivity. They are entitled to some praise and credit from the House for the way in which they have exercised those powers. I am certain that they will exercise the additional powers, if they are granted by Parliament, in the same way.

The Bill will not prevent all acts of terrorism, but if it prevents one it will have been worth putting on the statute book. If it disrupts terrorists' plans, it will be worth while. If it strengthens the hand of the police in protecting the public and bringing terrorists to justice, it will be welcome to every law-abiding citizen. I ask the House with some confidence to give it a Second Reading.

Question put, that the amendment be made:—

The House divided: Ayes 21, Noes 244.

Division No. 94] **[9.58 pm**

AYES

Abbott, Ms Diane
Barnes, Harry
Benn, Rt Hon Tony
Bennett, Andrew F
Canavan, Dennis
Clwyd, Mrs Ann
Cohen, Harry
Grant, Bernie *(Tottenham)*
Home Robertson, John
Lewis, Terry
Livingstone, Ken
Loyden, Eddie
McGrady, Eddie
McNamara, Kevin
Madden, Max
Mallon, Seamus
Michie, Bill *(Sheffield Heeley)*
Pike, Peter L
Sedgemore, Brian
Skinner, Dennis
Wise, Audrey

Tellers for the Ayes:
Mr. Neil Gerrard and
Mr. Jeremy Corbyn.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alexander, Richard
Alton, David
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Ashdown, Rt Hon Paddy
Atkinson, Peter *(Hexham)*
Banks, Matthew *(Southport)*
Bates, Michael
Batiste, Spencer
Beggs, Roy
Beith, Rt Hon A J
Bellingham, Henry
Beresford, Sir Paul
Biffen, Rt Hon John
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Browning, Mrs Angela
Bruce, Malcolm *(Gordon)*
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Carlisle, John *(Luton North)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chapman, Sir Sydney
Chidgey, David
Clappison, James
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Congdon, David
Coombs, Anthony *(Wyre For'st)*
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Duncan Smith, Iain
Dunn, Bob
Eggar, Rt Hon Tim
Elletson, Harold
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forth, Eric
Fox, Dr Liam *(Woodspring)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gallie, Phil
Garnier, Edward
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorst, Sir John
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Hamilton, Rt Hon Sir Archibald
Hampson, Dr Keith
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Hawkins, Nick
Hawksley, Warren
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Heseltine, Rt Hon Michael
Hicks, Robert
Higgins, Rt Hon Sir Terence
Hill, James *(Southampton Test)*
Horam, John
Howard, Rt Hon Michael
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Leigh, Edward
Lester, Sir James *(Broxtowe)*
Lidington, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McCrea, The Reverend William
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Maddock, Diana
Maginnis, Ken
Maitland, Lady Olga
Major, Rt Hon John
Mans, Keith
Marland, Paul
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Molyneaux, Rt Hon Sir James
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Paisley, The Reverend Ian
Patnick, Sir Irvine
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Redwood, Rt Hon John
Rendel, David
Renton, Rt Hon Tim
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Londonderry)*
Rowe, Andrew *(Mid Kent)*
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shepherd, Sir Colin *(Hereford)*
Shersby, Sir Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Smyth, The Reverend Martin
Soames, Nicholas
Spencer, Sir Derek
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Taylor, John M *(Solihull)*

Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Townsend, Cyril D *(Bexl'yh'th)*
Trimble, David
Trotter, Neville
Twinn, Dr Ian
Viggers, Peter
Walden, George
Walker, Bill *(N Tayside)*
Wallace, James
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Roger Knapman and Mr. Derek Conway.

Question accordingly negatived.

Main Question put forthwith, pursuant to Standing Order No. 60 (Amendment on Second or Third Reading):—

The House divided: Ayes 236, Noes 18.

Division No. 95] **[10.10 pm**

AYES

Ainsworth, Peter *(East Surrey)*
Alexander, Richard
Alton, David
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Ashdown, Rt Hon Paddy
Atkinson, Peter *(Hexham)*
Banks, Matthew *(Southport)*
Bates, Michael
Beggs, Roy
Beith, Rt Hon A J
Bellingham, Henry
Beresford, Sir Paul
Biffen, Rt Hon John
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Browning, Mrs Angela
Bruce, Malcolm *(Gordon)*
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Carrington, Matthew
Carttiss, Michael
Cash, William
Chapman, Sir Sydney
Chidgey, David
Clappison, James
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Duncan Smith, Iain
Dunn, Bob
Eggar, Rt Hon Tim
Elletson, Harold
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forth, Eric
Fox, Dr Liam *(Woodspring)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gallie, Phil
Garnier, Edward
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorst, Sir John
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Hamilton, Rt Hon Sir Archibald
Hampson, Dr Keith
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Hawkins, Nick
Hawksley, Warren
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Heseltine, Rt Hon Michael
Hicks, Robert
Higgins, Rt Hon Sir Terence
Hill, James *(Southampton Test)*
Horam, John
Howard, Rt Hon Michael
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Leigh, Edward
Lester, Sir James *(Broxtowe)*
Lidington, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McCrea, The Reverend William
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Maddock, Diana
Maginnis, Ken
Maitland, Lady Olga
Major, Rt Hon John
Mans, Keith
Marland, Paul
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Molyneaux, Rt Hon Sir James
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Paisley, The Reverend Ian
Patnick, Sir Irvine
Pattie, Rt Hon Sir Geoffrey
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Redwood, Rt Hon John
Rendel, David
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Londonderry)*
Rowe, Andrew *(Mid Kent)*
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shepherd, Sir Colin *(Hereford)*
Shersby, Sir Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Smyth, The Reverend Martin
Soames, Nicholas
Spencer, Sir Derek
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Townsend, Cyril D *(Bexl'yh'th)*
Trimble, David
Trotter, Neville
Twinn, Dr Ian
Viggers, Peter
Walden, George
Walker, Bill *(N Tayside)*
Wallace, James
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Timothy Wood and Mr. Roger Knapman.

NOES

Abbott, Ms Diane	McNamara, Kevin
Barnes, Harry	Madden, Max
Benn, Rt Hon Tony	Mallon, Seamus
Bennett, Andrew F	Michie, Bill *(Sheffield Heeley)*
Canavan, Dennis	Sedgemore, Brian
Cohen, Harry	Skinner, Dennis
Grant, Bernie *(Tottenham)*	Wise, Audrey
Lewis, Terry	
Livingstone, Ken	**Tellers for the Noes:**
Loyden, Eddie	**Mr. Jeremy Corbyn and**
McGrady, Eddie	**Mr. Neil Gerrard.**

Question accordingly agreed to.

Bill read a Second time, and committed to a Committee of the whole House, pursuant to Order [this day].

Considered in Committee.

Clause 1

POWER TO STOP AND SEARCH PEDESTRIANS

10.22 pm

Mr. Michael: I beg to move amendment No. 36, page 1, line 6, after '(1)' insert—

'Subject to any guidance issued by the Secretary of State under subsection (11) or otherwise,'.

The Chairman of Ways and Means (Mr. Michael Morris): With this, it will be convenient to discuss the following amendments: No. 47, in page 2, line 15, leave out 'cause' and insert 'obtain the approval of'.

No. 48, in page 2, line 15, leave out from 'State' to 'given' in line 16 and insert 'before it is'.

No. 52, in page 2, line 35, at end insert—

'(11) The Secretary of State may, after consultation with the Association of Chief Police Officers and such other persons or bodies as he deems appropriate, issue guidance on the sensitivity with which the powers contained in section 13A and this section should be exercised and the circumstances in which the powers should be used.'.

Mr. Michael: I am grateful for the opportunity to move the amendment standing in my name and those of my right hon. Friends. The purpose of amendment No. 36 is to provide the type of reassurance that we have sought in supporting the legislation as to the way in which the powers will be exercised. I hope that the Minister will welcome that opportunity, as the amendment addresses some of people's understandable concerns about the way in which such legislation may be used.

It is always possible to misuse legislation, but Parliament's intention must be clear, as must the safeguards that are built into the various Acts to which I referred during Second Reading. Amendment No. 36 would make the power outlined in clause 1 exercisable, subject to guidance issued by the Home Secretary. Clause 1 extends the powers already available under the Prevention of Terrorism (Temporary Provisions) Act 1989 to the searching of pedestrians, and contains also the narrower power to stop pedestrians and search anything carried by them.

Amendment No. 36 acts as a hook for amendment No. 52, which says:

"The Secretary of State may, after consultation with the Association of Chief Police Officers and such other persons or bodies as he deems appropriate, issue guidance on the sensitivity with which the powers in section 13A and this section should be exercised and the circumstances in which the powers should be used."

The amendment raises a number of important issues, including the matter of consultation with the Association of Chief Police Officers. Chief police officers and superintendents, who often oversee operational matters and are sensitive to the needs of the area in which they have oversight of police officers, are increasingly sensitive about the downside of certain powers and the dangers when those powers are perceived by members of the public as being used in an inappropriate way.

It seems to me that chief police officers, superintendents of police and the police generally will welcome an assurance from the Home Secretary that it is his intention to consult them and to listen to them about the ways in which the powers contained in the Bill are used. The amendment would also give him the power to issue guidance on the sensitivity that should be shown in the use of the powers in section 13A as well as their extension in the Bill. Finally, the amendment would allow the Home Secretary to give clear guidance on the circumstances in which the powers should be used.

The Home Secretary has stated—in the Chamber today and yesterday and in seeking to win support for the Bill—that it is his intention that the powers should be used firmly when they are needed, but with sensitivity and in a balanced way. It is important that we achieve that balance. We all want the police to act as quickly as possible when there is a threat to public safety or when certain suspicious circumstances require police action, but we also want the powers to be used in such a way that they are not brought into disrepute and that doubt is not cast on the way in which they are used.

That is slightly at odds with the earlier comment by one of my colleagues that the powers of the police are used with a great deal more sensitivity than was the case some years ago. For instance, the Metropolitan police exercise the power to stop and search people a great deal more sensitively than used to be the case. As one who worked in an area with a high proportion of ethnic minorities—the docks area of Cardiff—I have seen a positive development in the sensitivity with which the police try to understand the motivation of those who live in the communities in which they serve and seek to maintain law and order. That is a welcome development, over a period of time, and it should be encouraged. We believe that it should have the weight of the Home Secretary behind it, and I hope that we shall receive such an assurance about the use of the powers in the Bill as a result of the debate that I am introducing.

My hon. Friend the Member for Blackburn (Mr. Straw) made some references—to which the Home Secretary responded yesterday—to the monitoring of the way in which the powers are used. The Home Secretary referred specifically to the way in which the powers are used in relation to people from ethnic minorities. I said earlier that I do not believe that it has been a problem in respect of the powers introduced in the 1994 Act and I do not believe that it will be a specific problem in respect of the Bill, but it has been a problem in the past, when powers

to stop vehicles entering the City of London, as well as those being used in certain communities in London, gave rise to a great deal of concern, particularly among young people and the black community.

We believe that the amendments to the 1994 Act and the parallel provisions extending powers in the Bill have the right sort of safeguards. They require instigation by senior police officers, and accounting to the Home Secretary for the use of those powers. That provides reassurance. However, wider reassurance will be forthcoming if the Home Secretary's promises in relation to monitoring are spelt out in the debate.

It is important to get the balance right. We must provide the powers that the police need to be able to tackle the threat of terrorism and to act before things happen; but we must also ensure that the relevant powers are exercised in the most balanced way possible, so that the public can be reassured about the intentions of Ministers and the House.

10.30 pm

Mr. Soley: The issue of guidance is important. The question has always been about more than civil liberties, important though they are. It is also about the way in which we respond to terrorist incidents. The last thing that we want to do is turn London into a mirror image of Belfast. Hon. Members need to remind themselves that that is one of the aims of terrorism. It is therefore important that the powers be used cautiously. That is why I oppose the use of the powers in too widespread an area.

I am not clear, after reading the Bill, whether it is intended that the defined areas would be very limited. For instance, the Metropolitan police, at a senior level, could decide that the whole of the Metropolitan police area should be such a defined area. Searches could then be carried out anywhere in that area. I assume that the same would apply to the West Midlands police or other police forces.

If the powers are to be used at all, they should be used in a more confined way—which is what I assume the Home Office intends. I presume that it does not want a blanket approach to an area the size of London if that can be avoided. If the police believe that a terrorist is transporting a weapon between two points in central London, those areas should be cleared and duly defined. That is entirely understandable, but using the power in a blunderbuss fashion will present an image to the world of London becoming like Belfast during the worst of the violence.

I urge the Government to look closely at the matter. The guidelines would be very useful if they stipulated that the areas concerned were to be as small as possible. Only three conditions stop this power being a sus law: the geographical confinement, the chronological confinement, and the necessity for authorisation by a senior police officer. Loosening the restrictions and allowing the boundaries to encompass an entire police force's area—although I would understand that in principle—will, I sincerely hope, not be the practice.

Mr. Canavan: If my amendments Nos. 47 and 48 were accepted, a person giving an authorisation under this proposed section would have to obtain the approval of the Secretary of State before that approval was given.

Clause 1 as it stands would enable an assistant chief constable to authorise searches within a designated area for a specified time of up to 28 days. Within that area, police officers would then be able to stop pedestrians and search them and any baggage that they might be carrying. Authorisation of the power to search pedestrians would require confirmation within 48 hours by the Home Secretary.

I firmly believe that the prior approval of the Home Secretary would be an advantage. In an intervention in the Home Secretary's speech on Second Reading, I asked why there was no need for a warrant before the issue of the authorisation by the senior police officer. I am afraid that I did not get a satisfactory explanation. I understand that, under the provisions of the Bill, a senior police officer can simply give an oral authorisation—it does not even have to be in writing in the first instance. I find it strange that the police are able to issue such authorisation without any approval from a magistrate by way of a warrant or without any approval being expressed by the Home Secretary, the Secretary of State for Scotland or any of the junior Ministers and senior civil servants in the Home Department or the Scottish Office, as the case may be.

At present, the authorisation would be the decision of the senior police officer. I understand that that senior officer would have to be the chief constable, a deputy chief constable or an assistant chief constable. I hope that the Home Secretary or the Under-Secretary when replying will be able to tell us how the Government envisage that working in practice. How has it worked in practice already in Northern Ireland, where such powers have already been implemented? Does the Home Secretary envisage a situation in which a police officer or police officers on the spot may observe an incident or situation and consider that some emergency powers may be needed to deal with it?

In such circumstances, would the police officer or officers then telephone or radio the headquarters? Presumably, the chief constable or the deputy or assistant chief constable would then decide, in the light of the circumstances, whether the authorisation was necessary. If he considered it to be necessary, presumably he would issue the authorisation. Then, and only then, would he be required to communicate with the Home Office or with the Scottish Office.

In this day and age, when communications are very fast and when a Minister or a senior civil servant is on duty who can, if necessary, get the Home Secretary or the Secretary of State for Scotland out of bed in the event of an emergency, I do not see why there should not be at least some obligation on the chief constable to attempt to communicate with the Home Secretary or the Secretary of State and to seek his approval. I admit that perhaps my amendment is too strongly worded because it would require the chief constable to obtain approval, but the Bill does not even contain an obligation on the chief constable to attempt to communicate with either the Home Office or the Scottish Office.

If the spirit of my amendments were accepted by the House and by the Government, that would be an improvement on the provisions. The sooner the Home Secretary is informed about such matters and his approval sought, the better. I am not saying that the Home Secretary or the Secretary of State for Scotland are paragons of virtue or that they are adequate protectors of

[Mr. Canavan]

human rights, but at least they are accountable in some way to Parliament and my amendments would give the Bill a greater degree of parliamentary accountability. I commend them to the Committee.

Ms Diane Abbott (Hackney, North and Stoke Newington): Many people will wake up tomorrow morning and feel alarmed, dismayed and let down that the Labour party in Parliament has connived in such a fashion at the passing of the Bill. At the heart of many people's concerns will be the stop-and-search proposals in the clause. The Government and my Front-Bench colleagues have argued that the proposals are quite different from the provisions of the sus law and from existing stop-and-search provisions. But, in essence, the proposals are very similar to the sus law in that they give the police the power—*[Interruption.]* Perhaps I may be allowed to make my own speech in my own way. I have no doubt that my speech will not be supported by the Home Secretary; I should be alarmed if it were.

The proposals will give the police arbitrary powers to stop and search people on the basis of wholly subjective judgments. The old sus law was perhaps the issue that caused my hon. Friend the Member for Brent, South (Mr. Boateng) and me to come into politics, and I have no stomach now in 1996 for voting for any measure that in any way brings back legislation which as a young person I campaigned against.

Mr. Straw: My hon. Friend is wholly wrong in suggesting that a power with such safeguards to stop and search someone in the street is in any sense comparable to the sus law. As she knows, the whole point about the sus law, apart from the fact that there were no safeguards about arrests, was that it led to the commission of an offence for which people were either routinely fined or imprisoned. There is no suggestion whatever of that happening to someone who just submits to what amounts to an outer body search that is no more onerous than the search that, every day, some visitors to the Palace of Westminster have to endure.

Ms Abbott: I understand what my hon. Friend says and his motivation for saying it, but these provisions are very similar to those under the sus law. If somebody who looks like my hon. Friend and someone who looks like my brother, my cousin or my son walks past a policeman in the City of London, I know who that policeman will stop and search. It is the arbitrary and subjective nature of the judgments that the police will necessarily make under such powers that give rise to the concern of many people.

As a very young woman down from Cambridge, I and many other people, including my hon. Friend the Member for Brent, South, fought long and hard to have the sus law scrapped. It is sad that at this time of night, under a grotesque, truncated procedure, we are proposing to bring it back in some shape or form.

Mr. Peter Bottomley: The hon. Lady might direct herself with advantage to a speech during proceedings on the timetable motion by an expert on the sus law. If she does that, I think that she will reconsider her remarks.

Ms Abbott: In my field I am an expert on the sus law. When the police are given these powers—

The Chairman: Order. The hon. Lady may be an expert on the sus law, but the amendment is not about that; it is about guidance and the hon. Lady should address that.

Ms Abbott: I shall return to the issue of guidance. Guidance is important because, in essence, the proposals are very similar to the sus law. The group in society who suffered under the sus law will suffer under the proposals because, in every case and in every situation where the police are given such powers, we know the sort of judgments that they make. That is why I support the amendment. At the very least it would offer some guidance or some check or monitoring of the activities that will take place under the clause.

As I said at the beginning of my speech, many people will feel let down that the Labour party has connived at the passing of the clause. Many of us do not believe that the police need such powers in practice. I am arguing for the limited guidance provided in the amendment because I believe that some Opposition Members need to understand something: although it is impossible to out-Howard the Home Secretary—as I am sure he will be flattered to hear, there is no political position to the right of him—if we continue to connive at legislation of this nature, even with the guidance in the amendment, the Home Secretary will simply move further and further to the right. He will entrap us in legislation that is increasingly ill thought out and illiberal, and all that we shall have done is let down our natural supporters for no electoral gain.

10.45 pm

Mr. Peter Bottomley: The hon. Member for Hackney, North and Stoke Newington (Ms Abbott) made a disgraceful speech, which paid no attention to the earlier debate on the timetable motion. [HON. MEMBERS: "She was not here."] I do not believe that the hon. Lady was present for that debate.

Ms Abbott: I watched it on television.

Mr. Bottomley: If the hon. Lady had watched it on television she would have heard what was said, and would not have said what is contradicted by the evidence. What has happened in the 15 years since the sus law went will not be overcome by clause 1, regardless of whether it is amended. I view this as a probing amendment, and look forward to what my right hon. and learned Friend the Home Secretary has to say.

We should recognise that those who need protection from terrorism are ordinary people—the sort of people whose husbands were killed by bombers in South Quay. Some people—not just the IRA but, potentially, other terrorists—are dedicated to turning women into widows and children into orphans. As the hon. Lady will have seen if she was watching the earlier debates on television, in some parts of the United Kingdom many of these provisions are already effective. We must ask ourselves, as many did in the earlier debates, whether we should exclude Great Britain from powers that are available to the police in Northern Ireland. That does not seem to me to be bringing back the sus law.

People in their cars can be stopped and searched but those getting off a bus cannot. Given the events that proved fatal to a person at the Aldwych, should we ignore

the lessons? Should we not allow the police to stop someone getting off a bus? The House should realise that ordinary people throughout the country—whatever the colour or their skin, eyes or hair—support such a move. There is no reason to believe that the Bill would bring back any of the harmful effects of the sus law.

I believe that we can trust those on both Front Benches. If both sides are willing to say that they see good reason for these measures, with or without extra guidance, other hon. Members must oppose them with good reason. What we heard from the hon. Member for Hackney, North and Stoke Newington was not good reason but prejudice. In some contexts, prejudice works in the wrong way. Changes are needed in the police services, for instance. I believe that the colour of people's skins still affects the number of times they are stopped—for example, most people who are stopped on Vauxhall bridge are black, and I do not think that that is right. I do not believe that skin colour should determine whether someone joins the police, enters Parliament, goes to prison or is in or out of work. All that needs challenging. The Bill's provisions are not like that, however, and I feel that the hon. Lady's speech featured the worst kind of stereotyping.

Ms Abbott: I do indeed have a prejudice. I have a prejudice against my party's following the Home Secretary down an increasingly ill-thought-out and illiberal path.

Mr. Bottomley: I think that the hon. Lady has done enough damage to her own case by her own words.

Mr. Bennett: I want to ask the Home Secretary for a little more information about the guidance which, I think, he has promised to issue. It is important for him to understand that, sadly, in this country, the natural reaction of too many people, especially young people, is not to assist the police but either to ignore them or to turn a blind eye to their activities. It is very important that the Home Secretary ensures that the clause does not increase alienation.

I put to the Home Secretary the difficult circumstances of people who commit a minor crime by carrying in their pocket an illegal substance—soft drugs of some type—about which most people, and certainly nowadays the police, do not get particularly excited. The problem is that, often, when the police officer decides to search such an individual, that person becomes extremely frightened about the fact that that illegal substance is in his pocket and perhaps behaves in a very silly way. I hope that the Home Secretary will make it clear in the guidance that, although the police cannot ignore the fact that they have come across that substance when they carry out the search, such a discovery will be considered sensibly.

It is clear that in some parts of the country, when individuals are found to have small quantities of drugs that are clearly for their personal use, the police use their powers of caution sympathetically. I suggest to the Home Secretary that it is important that the guidance is put across sympathetically, otherwise it will create alienation among a group of young people who are already not particularly sympathetic to the police. I hope that the Home Secretary's guidance not only does not condone illegality but does not put something very minor in the same category as the very serious issues with which we are dealing.

Mr. Corbyn: On the issue of guidance, the methods of searching and the methods that will be used to stop people, I hope that the Home Secretary realises that there is an awful lot in what my hon. Friend the Member for Hackney, North and Stoke Newington (Ms Abbott) said about the perception of many young people, especially young black people in London, of the police and police powers. I, too, was part of the campaign to get rid of the sus law and I remember very well how that law worked. Large numbers of young black people were stopped, in some cases charged and in some cases convicted, but often simply stopped, intimidated and harassed while going about their normal lawful business in their home areas. Many people expressed to me last night and today the fear that giving the police unlimited powers of stopping and searching on the streets of London would lead to a return to such a feeling among young people towards the police force in London.

Three weeks ago, I had occasion to cross Waterloo bridge by car late on a Friday night—at about 12.30 or 1 o'clock in the morning—when a major stop-and-search operation was going on. Police cars were everywhere, armed units were standing on each side of the bridge, people were being questioned, not very many of whom were crossing the bridge on foot, most cars were being looked at and many were being stopped. As I drove past—I was not stopped—I noticed that more than half the people in the cars who were being questioned were black. Late at night on the streets of London, young black people in cars tend to get stopped and questioned and their cars tend to be searched. That tendency is later reflected in prosecution figures, and so on.

This morning, I was at the Camden Irish centre where its manager told me—I believe him—that young Irish people, many of them poor, and unfortunately homeless in London, feel harassed by the police when they are looking for somewhere to live. They are looking for a home, a room. The manager said—I believe him—that the reintroduction of police powers to stop and search people on the streets will lead to an unwarranted intrusion into those people's lives. He felt that large numbers of them would be stopped over the next few weeks when the power is introduced because London is, of course, a designated area. One must link the measure to the prevention of terrorism Act. Will the Home Secretary explain this point to me—if a young person is stopped one night under the stop-and-search procedure and the police officer decides that there is something suspicious about him, do the provisions of the Police and Criminal Evidence Act 1984 disappear? Do the provisions of the PTA—including the power to take that person into custody, hold him for 48 hours without access to a solicitor and, on the authority of the Home Secretary, hold him for up to seven days without a solicitor—then apply?

For far too long, constituents have rung me up over the weekend to tell me that they do not know what has happened to a son or daughter who was due to come over from Belfast or Dublin or who was travelling around. After a Kafkaesque series of telephone calls, one is able to elucidate from somebody that that person is being held under the provisions of the PTA. Thousands of people have been held under the provisions of the PTA in the

[Mr. Corbyn]

past 20 years. Very few have been prosecuted as a result, but none has forgotten the experience of being taken into a police station and told that he or she has no rights of access to a solicitor or advice. That is the fear that large numbers of people—particularly within the Irish community in London—have about this draconian legislation.

Mr. Howard: I shall begin by giving the House the assurance asked for by the hon. Member for Cardiff, South and Penarth (Mr. Michael). I certainly intend to issue guidance on the use of these powers following consultation with the Association of Chief Police Officers and others. While that is in preparation, I shall issue immediate provisional guidance, and I will also advise the police that the relevant PACE code for stop and search should be applied to all stop-and-search provisions in the Bill. The police have told me that they will apply the PACE code voluntarily until the new provisions are formally brought within its scope. I hope therefore that that assurance satisfies the hon. Gentleman, and that he will agree to withdraw the amendment.

Mr. Corbyn: Will the Home Secretary answer the point that I made concerning what happens to a person who is subsequently arrested under the provisions of the PTA? Do the PACE provisions disappear or do they remain in force? In other words, does a person have access to a solicitor for the stop and search if necessary, despite what might happen under the provisions of the PTA?

Mr. Howard: I was going to deal with the hon. Gentleman's point later, but since he has raised it again, I shall deal with it now. These provisions make absolutely no difference to the interrelationship between the provisions of PACE and the existing provisions of the PTA. If a person is arrested under the provisions of the PTA—because there is a suspicion that he is engaged in the terrorist activities specified in that Act—obviously all the provisions of the PTA apply. If, on the other hand, he is arrested under the provisions of PACE, that Act will apply. That has been part of our law, at least since the Police and Criminal Evidence Act was put on the statute book. It is not affected in the slightest by the provisions of the legislation.

I turn now to the amendment tabled by the hon. Member for Falkirk, West (Mr. Canavan). The guidance to which I have just referred will, I believe, be sufficient to ensure that there is no need for the Secretary of State to grant initial authorisation for the use of the powers. The use of the powers will be triggered by immediate operational reasons, so I believe that it is right that the decision to use them should be made by a senior police officer. The need for the Secretary of State to confirm that authorisation within 48 hours and the prior issue of the guidance to which I have referred are adequate safeguards.

On the point raised by the hon. Member for Hammersmith (Mr. Soley), the area that will be designated by the police will vary according to the circumstances. It is not something in respect of which I would wish to limit the discretion of the police. There may well be circumstances, such as those identified by the hon. Gentleman, where the police have specific intelligence that is closely related to a specific location, which will enable them to use their designation powers in a limited area.

On the other hand, there may well be a general terrorist alert which will not be specific to a particular area and which will cause the police to designate the whole of their police area for the purpose of using these powers. Indeed, it could be—and has been—the whole of the Metropolitan police area. I do not propose to issue guidance that would inhibit the discretion of the police in the way in which they exercise their designation power. I believe that they will use common sense in their approach to the matter and that, if there is no need to designate the whole of their area, they will not do so. That is an entirely proper matter to be left to the police and I see no need to inhibit their discretion in the guidance that I propose to issue.

11 pm

I do not propose to deal with the speech made by the hon. Member for Hackney, North and Stoke Newington (Ms Abbott). I have nothing to add to the observations of my hon. Friend the Member for Eltham (Mr. Bottomley), with which I entirely agree.

The hon. Member for Denton and Reddish (Mr. Bennett) asked what would happen if the police, in the exercise of their powers under the Bill, came across evidence of what he described as a minor crime being committed. That will be dealt with by the police, using their discretion, in the way in which they would normally deal with evidence of the commission of such crimes. I do not believe that they should approach these matters in a different way because they happen to come across evidence as a result of the use of the powers that they have been given under the Bill.

The police have discretion in how to proceed in relation to such matters generally. Sometimes they regard it as appropriate to issue a caution and sometimes they regard it as appropriate to prosecute. The police are perfectly capable of exercising that discretion generally. I see no need to inhibit that discretion by virtue of the fact that they will have come across the relevant evidence in the exercise of the powers that the Bill will confer on them.

Mr. Bennett: Does not the Home Secretary perceive that there is a problem, especially for young people? If a young person knows that he has an illegal substance in his pocket, if an attempt is made by a police officer to stop and search him and if he refuses, resists or does a bunk, under the Bill he will be subject to a fairly serious penalty. However, the likelihood is that, if young people are searched and a substance is found, they will be subject to a much more minor penalty.

Mr. Howard: I think that the hon. Gentleman does the younger generation an injustice. Most young people, if they were stopped by a police officer and told that the area in which they were present had been designated by a senior police officer as an area in which special powers were available to the police because there was a terrorist threat in that area, would readily understand the position and would not react as the hon. Gentleman suggests. His characterisation of young people does them a serious injustice.

Mr. Peter Bottomley: I want to follow up my earlier point, with which there was a good deal of sympathy.

There may be a provision for stopping and searching people because there are reasonable grounds to suspect that terrorist activity is around and, as the hon. Member for Denton and Reddish (Mr. Bennett) said, young people may have on them a substance that would not otherwise have been discovered. I am thinking of drugs, for example, and I am not suggesting theft. That substance might not normally have been discovered or the people involved might not normally have got more than a caution.

Could my right hon. and learned Friend draw to the attention of ACPO the possibility that if police officers exercising powers for one serious purpose discover something that normally would not draw a great deal of attention, it would be wise for the organisation to issue its own guidance? The hon. Member for Hackney, North and Stoke Newington (Ms Abbott)—I leave her speech out of account for the moment—referred to the fears about the Bill. Such guidance may stop us ending up with an analysis showing that young people, most of whom are black and some of whom may be involved with illicit substances, find themselves at the wrong end of powers that are directed at potentially far more serious crimes.

Mr. Howard: I am afraid that I will not give the police such guidance. First, I do not believe that they need it. They are perfectly capable of exercising their discretion in the normal way. Secondly, I believe that it would send a most unfortunate signal on how the Government regard the use of illicit substances. I am sorry to have to tell my hon. Friend that I have no intention of issuing such guidance.

I think that I have dealt with all the points that were made during the debate. I hope that it will be possible for the hon. Members for Cardiff, South and Penarth and for Falkirk, West not to press their amendments.

Mr. Michael: I am grateful to the Home Secretary for indicating that he will provide the sort of guidance that we seek and that he will seek sensible advice to ensure that the use of these powers commands support and does not run into the problems that hon. Members who have criticised the provisions have feared. In the light of his assurances, I am happy to beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Bennett: I beg to move amendment No. 1, in page 1, line 8, leave out 'expedient' and insert 'reasonable'.

The Second Deputy Chairman of Ways and Means (Dame Janet Fookes): With this we may discuss the following amendments: No. 39, in page 1, line 8, leave out 'expedient' and insert 'necessary'.

No. 17, in clause 4, page 6, line 5, leave out 'expedient' and insert 'reasonable'.

No. 18, in clause 5, page 6, line 31, leave out 'expedient' and insert 'reasonable'.

Mr. Bennett: This is a probing amendment that refers to the use of word "expedient", which I think occurs three times in the Bill. I should like the Home Secretary to explain why he chose to use the word "expedient" rather than "reasonable". Much legislation uses the term "reasonable". There is reasonable evidence that the courts and the police know how to interpret it, but the word "expedient" is rarely used legally. Apart from anything else, it is a fairly emotive term.

My hon. Friend the Member for Kingston upon Hull, North (Mr. McNamara) got me two dictionary definitions of "expedient". "Chambers" defines it as:

"profitable or convenient rather than fair or just".

That is not especially helpful. The "Shorter Oxford Dictionary" defines it as:

"Useful or politic as opp. to right or just".

Two of that word's uses in the Bill refer to a senior police officer, who may well be able to follow the guidance easily. It would be better to use words that have been used in previous legislation and are well understood rather than introducing a new and emotive word. I am especially concerned about its use in clause 4, which is dealt with by amendment No. 17, where it refers to the use of a cordon. There, it is not a senior officer who must interpret it, but, in certain circumstances, a constable. There is more difficulty with that. Earlier in the debate the need to get a warrant to search premises was mentioned. Once a cordon has been put round, there is no need to get a search warrant. I well understand that if a cordon is set up because there is a suspicion that there is a bomb in the area, it would be stupid to have to get a search warrant.

However, the power is not restricted to the point at which there is immediate threat of injury to individuals; it goes wider than that. I can imagine that a police constable might feel it expedient to put a cordon around a group of buildings so that he and other officers could search them, rather than going through the rather more complicated process of getting a warrant.

Will the Home Secretary explain why it was necessary to put an emotive term such as "expedient" in the Bill rather than picking something much better understood and, in my view, more reasonable—the word "reasonable"?

Mr. Peter Bottomley: In my dictionary the first three words used to define the word "expedient" are "wise, prudent, advisable". That seems to me perfectly sufficient. I also checked on the definition of the word "reasonable", which was "rational, acceptable, proper, sufficient". I think that to be wise, prudent and advisable is just as good as that.

Mr. Canavan: I support amendment No. 1, which was moved by my hon. Friend the Member for Denton and Reddish (Mr. Bennett), but, with respect, I think that my amendment No. 39 is even better.

The Home Secretary has claimed that the powers in the Bill are necessary in the campaign against terrorism. If they are all that necessary, the Bill should state that they cannot be used unless their use is a matter of necessity rather than of expediency. My amendment therefore proposes that the word "expedient" be replaced by the word "necessary" so that an authorisation could not be issued unless it appeared to a senior police officer that it was

"necessary to do so in order to prevent acts of terrorism".

Mr. Howard: I was immensely attracted to the approach adopted by my hon. Friend the Member for

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Eltham (Mr. Bottomley), and I am sorry that I have not followed his example and looked up the dictionary definitions of the words. The truth, as is usual in such matters, is much more mundane. The reason for the presence of the word "expedient" in the Bill has, I confess, nothing to do with the attractive definition to which my hon. Friend referred. The word appears in the Bill because it is the word used in the existing section 13A and elsewhere in the Prevention of Terrorism (Temporary Provisions) Act 1989. It is tried and proved, and has stood the test of time.

Contrary to the suggestion by the hon. Member for Denton and Reddish (Mr. Bennett), "expedient" is far from a new word. As I said earlier in our proceedings, in framing the additional powers we have sought to follow as closely as possible the approach in the existing prevention of terrorism Act. The use of that word is an example of that approach.

In resisting the amendments for that reason, I do not, of course, want to give the impression that chief police officers will be able to use the powers either unreasonably—to deal with the amendment tabled by the hon. Member for Denton and Reddish—or unnecessarily—to deal with the amendment tabled by the hon. Member for Falkirk, West (Mr. Canavan). The police are well aware of the need to exercise the safeguards with sensitivity and care, and as an additional safeguard, authorisation of the use of the new stop-and-search powers is subject to the Secretary of State's confirmation. Any unreasonable exercise might be open to challenge by judicial review.

In my view, therefore, the amendments are unnecessary, unreasonable and undesirable, and I ask the hon. Gentleman to withdraw his amendment.

Mr. Bennett: In view of what the Home Secretary has said, I shall not press the amendment at this stage, although I am disappointed that he still has not replied to my question about whether the power could provide a short cut in order to avoid the need to go to a magistrate for a warrant. In view of the shortage of time, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. McNamara: I beg to move amendment No. 3, in page 1, line 16, leave out from second "for" to "the" in line 17.

This is a probing amendment. I do not understand why subsection (2) should not merely state that a constable may stop a pedestrian and

"search him, or anything carried by him, for articles of a kind which could be used for the commission, preparation or instigation of such acts of terrorism."

I do not understand why the words

"for a purpose connected with"

are necessary because I should have thought that the intention behind the subsection was already clear. That is why I suggest that the other words should be deleted. Why have they been included?

The Parliamentary Under-Secretary of State for the Home Department (Mr. Timothy Kirkhope): There is a straightforward explanation and reason for their inclusion.

I do not propose to accept the amendment because the power to search pedestrians will be based on the existing power to search passengers in vehicles. The clause, as drafted, mirrors the existing section 13A of the Prevention of Terrorism (Temporary Provisions) Act 1989, which has proved to work well. We therefore see no reason to adopt a different formulation, despite the hon. Gentleman's suggestion. On that basis, we ask him to accept the current wording and to withdraw his amendment.

11.15 pm

Mr. McNamara: I accept the explanation that has been given. It reveals one of the problems caused by the procedures governing the passage of the Bill: because we have been able to study it for only such a short time, we have been unable to refer to what has gone before. In view of what the Minister has said, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Canavan: I beg to move amendment No. 5, in page 1, leave out lines 19 to 21.

The Second Deputy Chairman: With this it will convenient to discuss the following amendments: No. 6, in page 1, line 21, at end insert—

"on any particular person or in any thing carried by any particular person.".

No. 35, in page 2, line 46 at end insert—

"on any particular person or in anything carried by any particular person.".

Mr. Canavan: The amendment would delete subsection (3) of clause 1, which states:

"A constable may exercise his powers"—

to stop and search people—

"whether or not he has any grounds for suspecting the presence of articles"

of a kind that could be used for a purpose, as stated in subsection (2),

"connected with the commission, preparation or instigation of . . . acts of terrorism."

Several of my hon. Friends have referred to the sus laws. I am not an expert in those laws because they do not apply to Scotland, but I assume that the word "sus" is short for suspicion or suspect. I assume that the draconian sus laws were used to stop and search, and possibly apprehend, people simply because they looked suspicious.

The power proposed in the Bill is even worse, because the constable does not even need grounds for suspecting the presence of articles of a particular kind. In the absence of grounds for suspicion, that officer can still stop and search a person.

What articles has the Minister in mind? Presumably they are items such as guns and trigger mechanisms for setting off bombs. How has similar legislation operated in Northern Ireland, where it has been on the statute book for many years? I hear from some of my contacts in Northern Ireland that the exercise of that power has not been very successful and that its use or abuse has alienated large sections of the community. Can the Minister offer us an attempted justification for those powers by citing experience of their operation in Northern Ireland? What has been discovered on the person of pedestrians as a

result of police searches? What acts of terrorism and other terrible crimes have been avoided as a result of the powers that have been given to the police?

The powers in the Bill are wide ranging. If this subsection is not deleted, the powers will be so wide that, within a designated area, a police officer in uniform could stop anyone going about lawful business, irrespective of any suspicion. The powers are far too comprehensive—in fact, they are so wide ranging that they could be counter-productive and they could alienate large sections of the community.

Earlier, I said that in the campaign against terrorism it is essential to have good relations between the police and the community. If there is a poor relationship between the police and the community, or if large sections of the community distrust the police, the police will not get the intelligence and the support from the community that they require in the campaign against terrorism.

Mr. Ken Maginnis (Fermanagh and South Tyrone): I think the hon. Gentleman misunderstands the nature of terrorism. If he is looking for those who will supply the police with information, he must look at terrorists and not at those whom he believes may be offended if they are wrongly stopped and searched by the police. In that respect, I suggest that the hon. Gentleman is somewhat confused as to the source of intelligence in the first place.

Mr. Canavan: No, I am not confused at all. I hope that the hon. Gentleman would agree that in the campaign against terrorists it is absolutely essential to alienate them, as it were, from the community so that they do not get any direct or indirect support from it. The use and abuse of draconian powers could make a large number of people, particularly young people, feel that they are being harassed and intimidated by the police—in fact, such powers may act as a recruiting measure for some of the terrorist forces. I am sure that the hon. Gentleman would not like to see that happen.

My modest amendment—which would remove subsection (3)—would help in that situation. It would be obligatory for the police officer who is considering stopping and searching a person to have grounds for suspecting the presence of the articles referred to in the clause.

Mr. Peter Bottomley: By analogy, the fears of the hon. Member for Falkirk, West (Mr. Canavan) are misplaced. I know that he is a pedagogue of great distinction, but I do not know whether his background is in science. In one part of his speech he sought to prove a negative—that cannot be done.

I refer to the power of a police officer to stop someone in a vehicle and to ask them to undertake a breath test. During my time at the Department of Transport there were 1 million breath tests and not a single person who was stopped complained—not one. In such a case, people's livelihoods may be at stake, so one should not worry too much about leaving these powers in the Bill.

If we require a police officer to believe that an individual has a specified article on them or in their outer garments, we will lose the whole purpose of the provision. We allow a person who is in a vehicle to be searched, and the same sort of provision should apply to a person who is not in a vehicle. Otherwise, the message is given to someone who wants to commission, or take part in the preparation of, or commit a terrorist offence that they only have to get out of their vehicle and the police, in effect, cannot touch them. That strikes me as peculiar. If people are not offended by the powers that the police have with respect to vehicles, they should not be offended by the powers that the Bill would give the police with respect to pedestrians in Great Britain.

The hon. Member for Falkirk, West asked how many times material had been found on pedestrians in Northern Ireland. That is an interesting question, but it should not determine what happens now. We were given a clear warning by the events of the Aldwych, let alone by what may have been part of the preparation for the South Quay bomb, which would not necessarily have all come on the low loader. We should learn from the experience that people have suffered and try to ensure that we fill the gaps in the powers of the police.

Mr. Beith: Amendments Nos. 6 and 35 appear in my name. I do not accept that we should delete subsection (3), so I have suggested the addition of some words for clarification.

We are trying to make it possible for a police officer to carry out a general search in circumstances where, because of the threat of terrorist action, it seems advisable to ensure that no one can enter an area in possession of something with which they might commit a terrorist act. Therefore, we propose to remove from a police officer the need to have a specific reason to believe that the person whom he intends to search is carrying something; otherwise it is not a general search. Of course, he is carrying out the search only because someone above him in the hierarchy has reason to believe that a terrorist offence may be committed in the area; otherwise he would not have authorised the general search.

That is why I have suggested that we should free the police officer from the obligation to have grounds for suspecting the presence of articles on any one of the people whom he decides to search. The object is to ensure that the absence of intelligence information suggesting that a particular person has something in his possession does not preclude an officer from carrying out a search that is based more generally on intelligence that something may be afoot in the locality.

I have suggested this wording because it would bring to bear that precise obligation in clause 1—that none of this should happen unless it is suspected that a terrorist offence may be committed and that someone is carrying such material about with them, but that an officer need not have reason to believe that every person he searches might be in that position. My wording assists that understanding of the provision. It may be technically unnecessary, but I hope that the Minister can confirm that that is the intention of the clause.

We are now more than halfway through the time allocated for the Committee stage. Hon. Members have been brief and succinct in their speeches, but the fact that we are still in the middle of the amendments on the first clause and that we have many more clauses to discuss shows that we have been set an impossible task tonight.

Mr. Seamus Mallon (Newry and Armagh): In relation to amendment No. 5, relating to clause 1(3), one of the difficulties about the operation of this type of power is

[Mr. Seamus Mallon]

that one must try to understand on what basis a person is stopped and searched. If it is not on the basis of intelligence that would automatically lead to suspicion, it is either a random search or not.

The first question we should ask is, what does "random" mean? Is it every fifth car, every second car, every tenth car? What is it? Is it just taking the opportunity of establishing a presence in that area, through which those who are or may be carrying illegal weapons might move very quickly? From the experience of the north of Ireland, the people involved in such activity are adept at reading the random situation.

The second, more important, question is, at what stage after a vehicle or person has been searched does the random element translate into suspicion? There is a rake's progress in relation to that. Those who are young are much more likely to be searched than those who are not young. For those who are young and have other young people—especially young men—travelling in their car, the possibility of being searched increases substantially. I see it happen every day of the week where I live: one can be sure that the cars carrying young men from building sites will be pulled over to the side of the road and that they will be searched. It is not simply young people travelling together who are likely to be stopped and searched: people with Irish accents will almost certainly be subjected to the powers in the legislation. I pose this relevant question: if a man and his wife were driving in their car and four young Irishmen who had just left work on a building site were driving behind them, which car would be most likely to be subjected to a search without any reasonable suspicion?

11.30 pm

Leaving aside Irish accents, what about those young people who are a different colour? A constable may be tempted to apply the powers in the legislation not because there is reasonable suspicion regarding any element of terrorism, but because of other factors pertaining to the community. There is the potential for a combustible and very dangerous situation. The stop-and-search power and the power to detain have caused the most problems of all those which apply in the north of Ireland. The generation subjected to those powers—young people who have never known a time when such powers did not exist—is most susceptible to the terrorist propaganda. In many instances, they have suffered at the hands of this sort of legislation and they have turned towards terrorism—or at least acquiesced to terrorism—as a result.

Mr. Trimble: I believe that the hon. Gentleman may be erring in drawing his comparisons, as the circumstances in south Armagh may not be quite the same as those in London. The social and political attitudes evinced by the populations of those two areas may be different also. He may not have heard the figures that were given earlier in the debate regarding searches conducted under section 13A—and the provision is an extension along similar lines. We were told that under that section 8,000 vehicles had been searched with scarcely any complaints. The hon. Gentleman's fears may be a little overdone.

Mr. Mallon: I thank the hon. Gentleman for reminding me that the same attitudes do not apply in south Armagh and in London—and long may that remain so. However, I assure the House that this sort of legislation is the surest way of promoting and creating a similar reaction in London. Year after year and decade after decade, I have been struck by the idea that we are lucky in the north of Ireland because sooner or later we shall be in a position to abolish that sort of emergency legislation. However, we should not imagine that the residual effects will not be felt in this country. The biggest single danger—to which the hon. Gentleman has drawn attention—is that the legislation will be exploited here for various social reasons, including race, colour and class. I see it every day. We are lucky because, sooner or later, when we have the good sense to reach an agreement, there will be an end to the conflict in the north of Ireland and there will be an end to the emergency provisions Act. We shall then have the opportunity to make sure that Britain does not have to live with such legislation as its residue never leaves: once the need for it is created here, it will remain—that is one of the greatest dangers in clause 1.

I see the legislation working every day. I drove to the latest proximity talks—or preliminary talks, as they were called—along exactly the same road, through exactly the same checkpoint in exactly the same car for seven days running. This is where the random element comes in: on each occasion every other car was waved through, but mine was stopped. I was asked, "What is your name, sir?" Very courteously, I gave my name. I was then asked, "Where are you going, sir?" Very courteously, I told them where I was going.

Mr. Trimble: The hon. Gentleman was very wise to keep away from trouble.

Mr. Mallon: I am a mature person, not a young person who might be susceptible to that. If that can happen to someone such as myself, of mature age and, I hope, a little sense, what combustible circumstances will be created among young people day in and day out?

I know from personal experience that Provos have been created by that very piece of legislation. I know it because I know them. I have talked to them. I knew them before they were Provos. I talked to them in prison after they became terrorists and I know the reasons that triggered—if the House will forgive the pun—their reactions. There were two factors, one of which was the power to stop and search. In any circumstances, a body search is a humiliation. In a public place, it is even more of a humiliation. Under the terms of the legislation, to have someone remove one's shoes, jacket and outer clothing is a double humiliation. That is how the searches will be carried out and that humiliation produces a reaction. The reaction will express itself differently here: it will produce racial and social tension in places such as Kilburn, where the Irish population will be saturated with searches. Once the police are given such powers without recourse even to reasonable suspicion, the whole integrity of the law will be diminished, and when that happens, society in general does not have the protection of that law.

Mr. Corbyn: I hope that the House has taken note of what was said by the hon. Member for Newry and Armagh (Mr. Mallon) about the effects of a stop-and-search policy. I strongly support amendment No. 5, in the name of my hon. Friend the Member for Falkirk, West (Mr. Canavan) as it addresses a double problem in the measure.

First, the police will be protected from any complaint about a totally erroneous and harassing stop and search because they do not have to provide any evidence whatever of the need to stop and search somebody. Secondly, the meansure will create the utmost anger and ill feeling within the Irish community. A young Irish person living in London, perhaps working with one or two others on building industry jobs and driving around London in a Ford Transit van, will find himself constantly being stopped and harassed as soon as the police hear his accent. I have met many people who are very angry at the attitude of the police. As soon as they hear an Irish accent enunciated by a building worker, that becomes the ground for investigation, complaint and demanding to see documents. This new power gives the police carte blanche to stop people for no obvious reason.

Even if the legislation is designed to elicit the co-operation of the community in achieving its purpose, I believe that it will operate in exactly the opposite way. It will not be just Irish building workers and people with Irish accents who are stopped. Under the legislation, the police do not have to give any reason for stopping someone. So next it will be young black people walking along the street whom the police may or may not like, or whom the police may suspect of something else, or to whom the police may want to give a hard time; they will be stopped and searched and there will be no comeback for them.

Mr. Trimble: They have a remedy at law.

Mr. Corbyn: The hon. Gentleman expresses his opinion from a very sedentary position—he is sitting on the floor. My reading of the amendment suggests that my hon. Friend the Member for Falkirk, West would provide a remedy in the law, but the legislation itself ensures that there is no such remedy, as the police do not have to give reasons for stopping and searching people.

Surely in a civilised society which believes in due process, the police have to have a reason for doing something. I hope that the House will therefore heed my hon. Friend's view, well supported as he was by the hon. Member for Newry and Armagh, who has explained exactly how such powers can alienate an entire community and have effects that are the opposite of those intended.

Ms Abbott: I support the amendments, especially amendment No. 5. At the heart of my concern about the Bill is the giving of fresh powers to the police to stop and search people at random.

Subsection (3) states:

"A constable may exercise his powers under this section whether or not he has any grounds for suspecting the presence of articles"

for the commission of acts of terrorism. That process is wholly subjective and arbitrary. We have heard from the hon. Member for Newry and Armagh (Mr. Mallon) about the consequences of such legislation for community relations in Northern Ireland. His experience cannot be bettered. What is more, just as that type of arbitrary power to stop and search has poisoned relations between young people and the authorities in Northern Ireland, so it will poison relations between young people and the authorities in London.

It will not do to say that there are not many complaints, or that young people will understand. All that we know about the exercise of such powers is that they create tensions, hostility and resentment. If this House really wants to fight terrorism, we must all accept that, ultimately, the job is one of winning hearts and minds. We shall not win them by giving the police arbitrary powers of this kind which, all the evidence tells us, inevitably lead to friction between the police and the community, especially young people—whatever their colour.

Mr. Kirkhope: This has been a useful debate, but I am rather disappointed at some of the negative remarks made by several hon. Members. One has only to listen to the views of the hon. Members for Fermanagh and South Tyrone (Mr. Maginnis) and for Upper Bann (Mr. Trimble) to realise that, much as we may not wish to have these powers and much as we may restrict them, they are shown to be effective in Northern Ireland, and we believe that they will help us in the fight against terrorism on the mainland as well.

I must also tell hon. Members that the safeguards for the powers mean that the analogy suggested by the hon. Members for Hackney, North and Stoke Newington (Ms Abbott) and for Islington, North (Mr. Corbyn), who tried to link the Bill with the old sus laws, does not work. They must realise that the Bill contains tight restrictions, including specified areas, specified circumstances, the approval of a senior police officer and a time limit.

11.45 pm

Amendment No. 5, tabled by the hon. Member for Falkirk, West (Mr. Canavan), would have the effect of removing clause 1(3) which, as we have heard, will allow the searching of a pedestrian by a constable

"whether or not he has any grounds for suspecting the presence of articles"

that could be used for

"the commission, preparation or instigation of . . . acts of terrorism."

As has been mentioned, the Bill as drafted mirrors the existing provision in section 13A(4) of the PTA, which allows a constable to search vehicles, their occupants and the bags of pedestrians without specific grounds for suspicion. It would plainly not make any sense for the similar powers in the Bill to be operated in completely different ways. As I have said, the existing stop-and-search powers in section 13A of the Prevention of Terrorism Act (Temporary Provisions)1989 are subject to close safeguards and so will the new stop-and-search power be.

I mentioned the authorisation of a senior police officer, in this case an assistant chief constable. In addition to the existing safeguards, the new powers to search pedestrians will lapse after 48 hours if the Home Secretary does not endorse them. By requiring grounds for suspicion, as has been suggested by the hon. Member for Falkirk, West, amendment No. 5 would seriously weaken a critical part of the provision: the deterrent effect. I am sure that hon. Members from Northern Ireland are aware of the importance of that and, indeed, the hon. Member for Upper Bann referred to it earlier. Removing the deterrent effect would have a serious impact which we believe would be very unfortunate. A terrorist cannot be allowed to know that he can walk down the street with inconspicuous devices in his pocket without any

[Mr. Kirkhope]

possibility of the police giving him even the most cursory search. It is essential that the police are able to take steps to prevent attacks carried out by terrorists, whether on foot or in vehicles.

Ms Abbott: The Under-Secretary of State has commented on a number of interventions by hon. Members, but I hope that he will not complete his remarks without commenting on the speech made by the hon. Member for Newry and Armagh (Mr. Mallon) who, from his experience of his part of Great Britain, made the interesting observation that precisely such provisions had created terrorists.

Mr. Kirkhope: I appreciate that the hon. Member for Newry and Armagh (Mr. Mallon) has his views on the subject, and I have listened to them with great care. Perhaps what he was saying—and I do not agree—was that once such powers are put in place, they will never be removed. That is, in my view, an especially negative comment. Our hope is that these powers will be removed, that we shall have peace and that we shall not need the powers to curb or deter terrorism. Unfortunately, we need to do that now and we have to make the powers as effective as possible.

The only people who would benefit from amendment No. 5 are terrorists, who would be able to walk the streets with impunity. That is why I cannot accept the amendment. As for amendments Nos. 6 and 35, tabled by the right hon. Member for Berwick–upon–Tweed (Mr. Beith), they would add nothing to the meaning of clause 1. On a simple point of logic, since the power is to be available and should be available regardless of suspicion, it does not seem to matter on what that suspicion could or should centre. On that basis, I must ask the House to reject the amendments.

Mr. Canavan: I should like to respond briefly to the Minister's disgraceful comment that the only people who would benefit from my amendment would be terrorists. That is absolute nonsense. Many people going about their lawful business, going to and from work, going shopping, visiting relatives or even going to their own residences will suffer at the least a great deal of inconvenience or possibly worse with harassment by the police because of the legislation. My amendment would have provided at least some benefit to those innocent people.

I do not want to waste precious time by pressing the amendment to a Division. However, I certainly do not wish to withdraw it because the Minister has not made a logical argument against it.

Amendment negatived.

Mr. Straw: I beg to move amendment No. 42, in page 1, line 25, at end insert—

'(5) For the purposes of subsection (4) above, "in public" shall include any public highway and any other area accessible to the public.'.

My colleagues and the Committee will recall that clause 1 (4) states:

"Nothing in this section authorises a constable to require a person to remove any of his clothing in public other than any headgear, footwear, outer coat, jacket or gloves."

Earlier, we had an interesting debate about when and in what circumstances a jacket might be removed from a lady. The amendment has been moved to understand whether "in public" includes what is contained in the amendment or whether it has some other meaning.

Mr. Kirkhope: I am pleased to give the hon. Gentleman the assurance that he seeks. The term "in public" includes any public highway or any other area accessible to the public. I hope that that short response assists the hon. Gentleman.

Mr. Straw: It assists me mightily. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Canavan: I beg to move amendment No. 43, in page 2, line 8, leave out—

'imprisonment for a term not exceeding six months or'.

The Chairman: With this, it will be convenient to consider amendment No. 44, in page 2, line 9, leave out 'or both'.

Mr. Canavan: The amendment would delete the reference to a prison sentence. Under the Bill as it stands people could be sent to prison for up to six months simply for failing to stop when required to do so by a constable exercising his powers under the clause.

There are already far too many people in our prisons and far too many anomalies in our judicial and penal systems. Many people are sent to prison simply for not paying fines and others, strangely, receive non-custodial sentences although some of them have committed serious crimes, including violent crimes and sexual abuse of children and so on. It would be unfair if people who had committed offences that were not nearly as serious as some of those to which I have referred were sent to prison for up to six months.

For example, someone might be in a hurry to get to work and might not know that the surrounding area had been designated by a senior police officer in accordance with the Bill, perhaps during the night or early in the morning. That person might brush past a policeman, and refuse to stop in order not to be late. A woman might refuse to be searched by a male police officer. The Home Secretary said earlier that it was perfectly permissible for a male officer to subject a woman to a search; some women—perhaps even most women—might object strongly to that. I think that it would be unjustifiable for people caught up in such circumstances to be imprisoned for up to six months.

Mr. Kirkhope: The penalties provided in new section 13B mirror those provided in respect of offences committed under the existing section 13A. I do not agree with the hon. Member for Falkirk, West (Mr. Canavan) that the penalties are excessive, or that they should be changed. If a person fails to stop for a search, or obstructs a constable, that will immediately give rise to suspicion that he may either be carrying terrorist or other prohibited material, or deliberately be causing a diversion to divert police resources from the real bomber. In such circumstances, I think it entirely proper to leave it to the court to decide whether a prison sentence is appropriate.

I am sorry to disappoint the hon. Gentleman, who clearly feels strongly about the issue; but I feel strongly about it as well, and I think that, while the conclusions reached by the courts are a matter for them, the penalties should be those that we have proposed.

Amendment negatived.

Mr. McNamara: I beg to move amendment No. 9, in page 2, line 13, at end insert—

'and in any case not later than 24 hours after it has been given orally.'.

Clause 1 gives the police power to make an order that can last for 48 hours, but must then be confirmed by the Secretary of State or lapse. The person giving the authorisation must ensure that the Secretary of State is informed, as soon as reasonably practicable, that it has been given. We believe that a time limit should be placed on what is reasonably practicable: we believe that the information should be given not later than 24 hours after the authorisation has been given orally. We are saying that the power can operate for a day, but after that the Secretary of State must be informed. That does not mean that the power cannot exist for another 48 hours. The Secretary of State will not be prevented from deciding when the matter should be dealt with, but the amendment imposes a duty on the police authority to ensure—to overcome the suspicions felt by many of us—that the police inform the Secretary of State of the action that has been taken within 24 hours.

Mr. Kirkhope: There is obviously a clear operational need for the police to be able to respond quickly to intelligence or discoveries of terrorist activity. That is why the stop-and-search power can be invoked orally. As the hon. Member for Kingston upon Hull, North (Mr. McNamara) has said, the amendment would require a stop-and-search operation that had been authorised orally to be confirmed in writing within 24 hours.

The police would not want—nor would they have any reason—to delay written confirmation of the powers. A number of bombs and false alarms on the same day might make it very difficult to obtain written authorisation without taking a senior officer away from critical operational duties at that time. For that reason, we cannot afford to impose an inflexible and rigid 24-hour limit.

12 midnight

Furthermore, under clause 1(8), a person giving an authorisation for the use of the power must inform the Secretary of State as soon as is reasonably practicable, and, as I said a little while ago, if the authorisation has not been confirmed by the Secretary of State within 48 hours of its issue, it will lapse. I do not therefore believe that there is any need for the amendment.

The same powers for oral authorisation, followed by written authorisation as soon as is reasonably practicable, are also being provided for in section 13A stop-and-search powers by clause 1(6). In the circumstances, the amendment is neither necessary nor desirable.

Mr. McNamara: What has been said makes the amendment necessary and practicable and the Bill should be amended. It is not too much of an imposition on the police to require that within 24 hours of taking such an extraordinary power they should inform the Secretary of State of what they have done.

Amendment negatived.

Mr. Madden: I beg to move amendment No. 10, in page 2, line 35, at end insert—

'(11) For the purposes of this section any person so stopped shall on being stopped be given the warrant number of the constable stopping him.'.

We have been given the impression throughout the proceedings that pedestrians who are stopped and asked to undergo a search will be required to do so only by a single police officer in standard uniform. I am sure that the Minister agrees that it is very likely that police officers will be in groups and wearing protective clothing when stops are made. I am also sure that he appreciates that such protective clothing would often obscure the officers' numbers. The permanent and provisional guidance to which the Home Secretary has referred should therefore urge police officers in all circumstances to give their warrant number to the person who is being stopped and searched.

Taking into account the comments of several hon. Members, it would be very helpful if the guidance also ensured that, so far as is reasonably practicable, a woman police officer were always included in the group of officers undertaking such stops and searches. That would certainly allay some hon. Members' anxieties.

Lastly, we hope that the powers will be exercised with circumspection and sensitivity. I hope that that will also apply to Sikhs who wear turbans, because any request for a Sikh to remove his turban—particularly in a public place, as envisaged in the Bill—would cause grave offence. I hope that the guidance will emphatically urge police officers not in any circumstances to request a Sikh to remove his turban.

I would urge the Minister to accept the amendment, as no amendment has so far been accepted by the Government. This is a reasonable request that should be accepted by the Minister. If a pedestrian is stopped in these circumstances, the least he should be given to allay any anxieties is the warrant number of the officer concerned. That is a basic requirement, and I hope the Minister accepts that.

Mr. Kirkhope: I hope that what I have to say will reassure the hon. Member for Bradford, West (Mr. Madden). I certainly understand his concerns, and we are completely at one in thinking that the new powers will need to be applied carefully, sensitively and appropriately. I believe that that will be done, but perhaps I can take my reassurance further.

I do not believe that the amendment is necessary. The hon. Member for Bradford, West will be aware that the new powers will be subject to PACE code A—the code of practice covering the stop and search of persons—in the same way as the police powers under section 13A are now. He will also know that PACE code A requires a constable to give the person concerned his name, warrant or other identification number and the name of the police station to which he is attached before carrying out any search. The constable is also required to explain the object of the search and his authorisation for undertaking it.

The hon. Member for Bradford, West asked whether the powers applied to constables in uniform, and he will see that clause 1(2) of the Bill

"confers on any constable in uniform the power".

[Mr. Kirkhope]

He also mentioned a matter that has been raised with my right hon. and learned Friend the Home Secretary—namely, the question of having women officers available when women are to be searched. I must repeat what my right hon. and learned Friend has said on this; in operational terms, we cannot guarantee that. There is probably a preference within the police that—where it is possible and appropriate—a woman constable should be involved when dealing with women, but I cannot give a guarantee or an assurance in the circumstances.

I hope that the hon. Member for Bradford, West is to some extent reassured by the nature of the obligations that exist under PACE code A and to which reference is made in the Bill. Because of that full information, I hope he will agree that his amendment is not necessary.

Amendment negatived.

Mr. Michael: I beg to move amendment No. 53, in page 2, line 35, at end insert—

'(12) If, following the exercise of the powers contained in section 13A above or this section a person is arrested and charged with an offence other than an offence under this Act or otherwise connected with terrorism, the fact and nature of the initial exercise of stop and search powers shall be made known to the court.'

The hon. Member for Eltham (Mr. Bottomley) touched on such reassurance to some extent. Indeed, he went rather further by suggesting that the police should not prosecute for less serious offences that are discovered as a result of powers used to try to detect or prevent terrorism. The Home Secretary rejected that general approach, and I believe that there are some difficulties with it, as I think the hon. Member for Eltham would acknowledge.

Our amendment would require simply that the court should be aware when evidence arises from the exercise of the powers provided in the Bill. The court would, therefore, be able to take that fact into consideration if appropriate. Magistrates or judges would be well able to take a balanced view and to make a judgment on whether the circumstances were appropriate and should affect the disposal of the case before them.

The amendment would certainly put the matter on the record. It would supplement the promises already made by the Home Secretary about monitoring the use of the provisions and it would ensure that the knock-on effect from using the powers was transparent. That would offer reassurance to people because one cannot misuse a power or smuggle in prosecutions if one tells the court the nature of the circumstances in which evidence has been garnered. The amendment would have no detrimental effect on the police or the prosecution service in terms of ensuring that a breach of the law was brought before the court, but it would ensure, through transparency, that there was reassurance for those who fear that the provisions might be misused.

I have said that I do not fear misuse of the Bill. There is always a danger that the police will misuse their powers or go beyond them; it happens from time to time. It is regrettable when it happens and we need to have safeguards in place to avoid the misuse of powers as far as possible. That is in the best interests of the public and the police, who need the powers to do their job properly.

I hope that the Minister will accept that we are suggesting a proposal that provides an element of transparency, but that would not downgrade the ability of the police to use evidence that is gained as a result of the exercise of the new powers. That transparency would reassure those who fear the possibility of misuse of the powers. I hope that the Minister will be able to reassure us about the approach that will be taken on the matter.

Mr. Peter Bottomley: The hon. Member for Cardiff, South and Penarth (Mr. Michael) has put the case fairly, as he acknowledged that my right hon. and learned Friend the Home Secretary did in responding to the point made by the hon. Member for Denton and Reddish (Mr. Bennett), with inadequate reinforcement by me.

I go back to my roads experience to argue against the point that I made earlier. I am aware that the police find that when they stop people in vehicles for one reason or another, a high proportion of offences is detected at certain times of night, many of which are not linked to the reason for stopping the vehicle in the first place. A good point has been made by my right hon. and learned Friend the Home Secretary.

Having said that, I think that my right hon. and learned Friend has taken a purist position. If one is trying to protect the vulnerable, whether or not they have been involved in an offence, one needs to be careful about the impact. Equally, I do not agree with the purist view, taken by some Labour Members, that the police should be able to charge people only if they have stopped them with a particular offence in mind. The culture within the police, within the courts and within the Crown Prosecution Service, therefore, needs to be not just accepted, but worked for.

Obviously I would like people not to commit offences in the first place, whether major or minor, but one needs to do more than to hope. I have had experience of the police doing their duty well; that is normal for police officers. However, like many hon. Members, I have come across the odd occasion when police officers have not done the right thing. For example, there have been cases of trumped-up charges of assaulting a police officer in the execution of his duty, whether in a police station or elsewhere. This is not the right time, or Bill, to go into those issues, but I hope that those who will consider what to do with information that has been gained under this provision will exercise proper discretion, as I hope that they always do.

12.15 am

Mr. Mallon: I am in favour of this wise amendment. I knew that I would find something about which I could agree with the Opposition Front-Bench spokesman. If, as it must be, the operation of these powers is to be assessed, this surely is one of the ways in which it can be done. Ultimately, it is probably the only way.

I am not able to furnish the figures because of the speed with which we had to come here and prepare for the debate, but if the Minister were to examine the figures for people charged under the emergency provisions Act in the north of Ireland, he would find that, in the past four years, well over 80 per cent. of cases involved charges in connection with parking motor cars in a place designated as illegal from a security point of view. It is essential that an amendment such as this is accepted so that an assessment can be made of how such legislation is operating.

Having said that, we shall find that it is a two-edged weapon. Inevitably, a substantial number of non-terrorist cases will be established as a result of this anti-terrorist legislation. The case will be made that such stop-and-search powers should be part of the usual arrangements because of their very success. Even accepting that element of it, the legislation must be assessed by Parliament when that is required by Parliament. It must be assessed by the Home Office at all stages and it must be assessed so that the public can be reassured that it is being used in the proper way. I support the amendment.

Mr. Kirkhope: I appreciate the remarks that have been made by my hon. Friend the Member for Eltham (Mr. Bottomley) and by the hon. Members for Cardiff, South and Penarth (Mr. Michael) and for Newry and Armagh (Mr. Mallon). However, it is hard to understand how a person could be dealt with in a court without the original stop and search being made clear in the prosecution evidence. It would be up to the court to decide whether such evidence was admissible in any particular case. The amendment's purpose is met by existing arrangements. Despite all the persuasive and interesting arguments, it is not necessary. For that straightforward reason, I ask the hon. Member for Cardiff, South and Penarth to withdraw the amendment.

Mr. Michael: The Minister needs to take a little more note of the issues that have been raised. It is important in practice—we will keep an eye on this—that reassurance is offered that the powers will be used for the intention for which they were given by Parliament, and not abused. That is why we tabled the amendment. The Minister and the Home Secretary have acknowledged the importance of that, as have hon. Members on both sides of the House in this short debate. A marker has been put down and in the light of that, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Motion made, and Question put, That the clause stand part of the Bill:—

The Committee divided: Ayes 162, Noes 20.

Division No. 96] **[00.20 am**

AYES

Alexander, Richard
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkinson, Peter *(Hexham)*
Banks, Matthew *(Southport)*
Bates, Michael
Beggs, Roy
Beith, Rt Hon A J
Beresford, Sir Paul
Body, Sir Richard
Bonsor, Sir Nicholas
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bowis, John
Brandreth, Gyles
Browning, Mrs Angela
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Carrington, Matthew
Carttiss, Michael
Cash, William
Chapman, Sir Sydney
Clappison, James
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Coe, Sebastian
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'shr)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Duncan Smith, Iain
Dunn, Bob
Elletson, Harold
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Faber, David
Fabricant, Michael
Fishburn, Dudley
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Fox, Dr Liam *(Woodspring)*
Freeman, Rt Hon Roger
French, Douglas
Gallie, Phil
Garnier, Edward
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Gorst, Sir John
Greenway, Harry *(Ealing N)*
Hamilton, Rt Hon Sir Archibald
Hampson, Dr Keith
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Hawkins, Nick
Hawksley, Warren
Heald, Oliver
Heseltine, Rt Hon Michael
Hicks, Robert
Higgins, Rt Hon Sir Terence
Howard, Rt Hon Michael
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jenkin, Bernard
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Leigh, Edward
Lidington, David
Lilley, Rt Hon Peter
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McCrea, The Reverend William
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Maginnis, Ken
Maitland, Lady Olga
Major, Rt Hon John
Martin, David *(Portsmouth S)*
Merchant, Piers
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Page, Richard
Paice, James
Paisley, The Reverend Ian
Patnick, Sir Irvine
Pattie, Rt Hon Sir Geoffrey
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rendel, David
Richards, Rod
Riddick, Graham
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Peter *(Belfast E)*
Ross, William *(E Londonderry)*
Shaw, David *(Dover)*
Shepherd, Sir Colin *(Hereford)*
Spencer, Sir Derek
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Sweeney, Walter
Thomason, Roy
Thompson, Patrick *(Norwich N)*
Trimble, David
Viggers, Peter
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Willetts, David
Wolfson, Mark
Wood, Timothy
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Richard Ottaway and Mr. Gary Streeter.

NOES

Abbott, Ms Diane
Barnes, Harry
Benn, Rt Hon Tony
Bennett, Andrew F
Clwyd, Mrs Ann
Corbyn, Jeremy
Cunningham, Roseanna
Ewing, Mrs Margaret
Godman, Dr Norman A
Livingstone, Ken
Loyden, Eddie
McGrady, Eddie
Mackinlay, Andrew
McNamara, Kevin
Mallon, Seamus
Marshall, Jim *(Leicester, S)*
Michie, Bill *(Sheffield Heeley)*
Salmond, Alex
Sedgemore, Brian
Skinner, Dennis

Tellers for the Noes:
Mr. Max Madden and Mr. Dennis Canavan.

Question accordingly agreed to.

Clause 1 ordered to stand part of the Bill.

It being more than two hours after the commencement of proceedings in Committee, THE CHAIRMAN *put forthwith the Questions necessary for the disposal of the business to be concluded at that hour, pursuant to Order [this day].*

Clauses 2 to 7 ordered to stand part of the Bill.

Schedule agreed to.

Bill reported, without amendment, pursuant to Order.

Mr. Beith: On a point of order, Madam Deputy Speaker. The Government Whip, the hon. Member for West Derbyshire (Mr. McLoughlin), just gave a seriously misleading report—and he had much difficulty in reading it. He said that the Committee had gone through the Bill. Is it not the case that the Committee has been allowed to consider only clause 1 of the Bill?

Madam Deputy Speaker (Dame Janet Fookes): It may be a point of comment, but it is not a point of order for the Chair.

Order for Third Reading read.

12.33 am

Mr. Howard: I beg to move, That the Bill be now read the Third time.

We have had a long, constructive and extremely interesting debate. I recognise that some hon. Members have not had as much time as they would have liked to consider each and every clause of the Bill in detail. However, I believe that we have been able to debate the principal points at issue. In addition, the assurances that have been given on the genuine concerns that have been raised should go far to allay any anxieties. Some hon. Members have deep-rooted reasons for opposing the Bill, and clearly we have not been able to satisfy their concerns. Nevertheless, I believe that we have established to the satisfaction of hon. Members the urgent need for these powers in the face of the terrorist threat. We need to give the police these additional powers if they are to do their utmost to give the people of this country the protection from terrorism that they deserve.

Mr. Beith: I shall give the Home Secretary the opportunity to allay another point of concern. I refer to proposed paragraph 4A(5) of schedule 5 to the 1989 Act. Are the persons employed by a police authority for the assistance of constables—who are given power under the Bill, if necessary, to use reasonable force for the purpose of performing these functions—civilian employees? Are they people who have been trained to use reasonable force? Have Scottish chief constables been consulted about, and given approval for, the use of civilians, using reasonable force for the performance of those functions?

Mr. Howard: The intention of proposed paragraph 4A(5) is to allow persons who are not constables to exercise the paragraph 4A powers. Sub-paragraph (5) provides a similar power in Scotland to that provided in England and Wales by paragraph 4A(3), and it is intended that people in the category identified by the right hon. Gentleman will have the powers to which he referred. I believe that the police will exercise discretion and common sense in seeking the assistance of people who come into that category. I do not believe that that need give rise to any serious or deep anxiety on the part of the right hon. Gentleman.

Mr. Alex Salmond (Banff and Buchan): The Home Secretary was asked a specific question about consultation with Scottish chief constables. He has manifestly refused to answer it. Will he now kindly do so? Has there been consultation with Scottish chief constables on the point raised by the right hon. Member for Berwick-upon-Tweed (Mr. Beith)? Will the Home Secretary kindly address the point?

Mr. Howard: The hon. Gentleman has now asked an entirely different question. [HON. MEMBERS: "No."] The hon. Gentleman has now asked a question about consultation.

Mr. Mackinlay: The answer is no.

Mr. Howard: No, the answer is not no, if the hon. Gentleman would contain himself from his sedentary position.

As I said earlier, I discussed these matters with the senior police officer in this country who has responsibility for directing anti-terrorist operations, and Home Office officials discussed the matter with the Association of Chief Police Officers in Scotland. These powers have therefore been discussed with the Association of Chief Police Officers in Scotland. I believe that, when the hon. Member for Banff and Buchan (Mr. Salmond) has the opportunity of considering these matters with ACPO Scotland, he will find that its members are as desirous of these additional powers as are their counterparts in England and Wales.

Mrs. Margaret Ewing (Moray) *rose—*

Mr. James Wallace (Orkney and Shetland) *rose—*

Mr. Howard: I give way first to the hon. Lady and then to the hon. Gentleman.

Mrs. Ewing: This is an interesting exchange. Will the Home Secretary place in the Library a record of the meetings that were held with representatives of the Scottish police superintendents and Scottish police officers? This appears to be a sign that there is now an attempt to apply the prevention of terrorism Act UK-wide. If that is to be the case, surely we need much more substantial debates, and we certainly need to know the response of police officers in Scotland.

Mr. Howard: I must correct, in one minor detail, what I said a moment ago. I am told that I said that Home Office officials discussed the matter with ACPO Scotland.

Mr. Wallace: You did.

Mr. Howard: I should have said Scottish Office officials, because it was Scottish Office officials who were engaged in those discussions with ACPO Scotland.

I confess that I do not entirely follow the drift of the point raised by the hon. Member for Moray (Mrs. Ewing). We have made clear from the outset the way in which the

powers are to be exercised and the territorial areas to which they apply. The main prevention of terrorism Act applies to England, Wales and Scotland; there are different provisions in Northern Ireland. As I made plain from the outset—in my statement yesterday—all the powers save the one that is not at present available in Northern Ireland would be confined to Great Britain under the Bill, but the one that is not at present available in Northern Ireland would be legislated for on a United Kingdom basis. There has been no doubt about that; I made it clear from the outset.

Mr. Wallace: I wonder when the Home Secretary last read the 1993 report of Her Majesty's chief inspectorate of constabulary for Scotland—specifically, paragraphs 47 to 51, which relate to the use of civilian employees in the police force—which clearly categorises what is appropriate for civilian employees and what is not. What training has been made available to civilian employees so that, when the Bill receives Royal Assent, they may exercise the powers that the Home Secretary has given them under the proposed paragraph?

Mr. Howard: I freely confess to the House that I am not familiar with paragraphs 47 to 51 of the report of the inspectorate in Scotland. However, I do not think that the hon. Gentleman makes a serious point. The police will have every opportunity to ensure that, in exercising the powers, they do not seek the assistance of those who have not received the appropriate training. I am sure that the hon. Gentleman knows that the police are extremely careful about the need to train anyone with particular responsibilities. That applies as much to those who assist the police in discharging those responsibilities as to anyone else. I think that I can confidently make that assertion and give that assurance, even without being familiar with paragraphs 47 to 51 of the report to which the hon. Gentleman referred.

Mr. Salmond: On a point of order, Madam Deputy Speaker. Is it in order for the Home Secretary to display his ignorance of the situation in Scotland in the absence of any Scottish Office Minister on the Government Front Bench to advise him of what he should know already?

Madam Deputy Speaker: That is not a matter for the Chair.

Mr. Howard: I utterly reject the hon. Gentleman's point. I am not responsible for the police in Scotland: that is why I have told the House that I am not familiar with paragraphs 47 to 51 of the report to which the hon. Member for Orkney and Shetland (Mr. Wallace) referred. I shall now resume the points that I was making.

Mr. Wallace: On a point of order, Madam Deputy Speaker. The Home Secretary says, quite rightly, that he is not responsible for the police in Scotland. However, the legislation to which we are being asked to give Third Reading includes clauses that relate specifically to Scotland. Madam Deputy Speaker, can you recollect any Bill coming before the House containing provisions for which there was no Minister responsible on the Treasury Bench? Is that not a serious dereliction of duty by the Government?

Madam Deputy Speaker: I repeat that it is a matter for the Government, not for the Chair.

Mr. Phil Gallie (Ayr) *rose—*

Mr. Howard: If my hon. Friend will contain himself for a moment, I shall content myself with making this observation: none of those hon. Members who have risen to proclaim the extent of their concern about the Bill's application to Scotland deigned to come into the Chamber during the former proceedings. They were not present during the Second Reading of the Bill, during the discussions about the timetabling of the legislation or during any of the considerations in Committee. If they were serious in their concern about the Bill's application to Scotland, they would have been present for those discussions.

Mr. Wallace: We never reached it.

Mr. Howard: It is no use the hon. Gentleman saying that, because we reached that stage in the Second Reading debate.

Mr. Salmond: On a point of order, Madam Deputy Speaker. *[Interruption.]* I see from the entrance of the Minister of State, the hon. Member for Edinburgh, West (Lord James Douglas-Hamilton), that our points of order are having some effect. Is it in order for the Home Secretary, who has no responsibility for Scotland, to make those allegations when we manifestly did not reach the parts of the Bill that hon. Members from Scotland wished to discuss as a result of the Government's timetable motion?

Madam Deputy Speaker: As I have explained before—it seems to be slow sinking in—the Chair has no responsibility for those matters.

Mr. Howard: The points of order are just as bogus as the concerns that Opposition Members are expressing. They know perfectly well that whatever is capable of being raised on Third Reading could be raised on Second Reading.

Mr. Beith: I did.

Mr. Howard: I am not talking about the right hon. Gentleman; he does not represent a Scottish constituency and I am excluding him from my remarks. I refer to the hon. Members for Moray, for Orkney and Shetland and for Banff and Buchan, who have risen in the past few minutes and whose concern is every bit as bogus as their interventions and points of order.

Mr. Mallon: Will the Home Secretary give way?

Mr. Howard: I shall give way to the hon. Gentleman, who at least has been present for most of the debate.

Mr. Mallon: Lest there be any invidious distinction drawn, the Minister will agree that the fifth section of the legislation applies to the north of Ireland for the first time. Should not the Minister responsible for security in the north

[Mr. Mallon]

of Ireland be in the Chamber—at least out of courtesy to hon. Members from Northern Ireland—or did the Home Secretary prevent that out of consideration for us?

Mr. Howard: There was no need for any of my right hon. and hon. Friends who serve in the Northern Ireland Office to be here. The hon. Gentleman raised a number of points during the debate and they were all answered, so I do not believe that he has any cause for concern.

Rev. William McCrea (Mid–Ulster): Does the Home Secretary accept that the vast majority of people in the United Kingdom appreciate that he has brought to the House legislation that is necessary to fight terrorism? The threat to the country is from the terrorists, not the police. Listening to some of the speeches tonight, one might wonder who was the threat. To me and the vast majority of people, the terrorists are the threat, the police should have the legislation to deal with them and the Home Secretary has introduced that necessary legislation.

Mr. Howard: The hon. Gentleman is absolutely right. Much of the debate in the House tonight has had an air of unreality which would have astonished our constituents. Had they been present during our deliberations and heard some of the concerns expressed by Opposition Back Benchers and some of the fanciful questions that were raised about what would happen if the police sought to exercise some of the search powers that the Bill provides, they would have been absolutely astonished by the approach of certain Opposition Members.

Of course, on this occasion I exclude those who spoke from the Labour Front Bench. They made responsible speeches in which they supported the legislation. It is a pity that they were not able to carry through what they said by joining us in the Division Lobby and showing that they supported the Government in introducing the legislation not only by their words but by their votes and their deeds.

The Bill is an important measure. It will give the police five important new powers with which to safeguard the public and tackle the threats posed by terrorists. As has been generally agreed, its provisions are sensible and practical. They contain clear and effective safeguards to ensure that they are used carefully and sensibly and only when operationally necessary.

I believe that those powers will make a real difference. It is essential that they are put in place immediately so that they start to make that difference as soon as possible. I commend the Bill to the House.

12.47 am

Mr. Straw: When the Home Secretary asked for our support for the Bill last Thursday and we gave it consideration, we concluded that we should support it on the merits of the case and not on the prospect that he would be able to maintain a conciliatory tone throughout the debates.

The Home Secretary said that we should be judged not only by our words but by our deeds. If he reflects on our deeds in securing the passage of the measure, he will realise that not only our words but our actions in collaborating with the Government have ensured that the measure has rightly secured a relatively easy passage through the House.

Earlier this evening, we exposed a liberal flank in the Home Secretary. Although he was not a Member of Parliament in 1981, he would have supported the liberal measure to abolish the sus laws and replace them with something altogether softer and more liberal. Reading the *Evening Standard* just a moment ago in the Tea Room, I discovered that the Home Secretary has been infected with liberalism to an even greater extent. He is now seeking to emulate the distinguished former Liberal Prime Minister of the last century, William Gladstone. I read in the *Evening Standard* that yesterday Soho sleaze was

"laid bare for the Home Secretary".

He apparently spent yesterday evening, no doubt in preparation for today, strolling down the streets of Soho—doubtless seeking to save souls. He said, unusually employing a double negative redolent of the Scott report, that it was an area

"I am not totally unfamiliar with".

He went on to add hastily:

"I come here to go to the cinema, the theatre or the restaurants",

and added—no doubt before being searched—

"I think the police do a very good job."

We are glad to recognise that some forces of liberalism are taking over the Secretary of State, and that, as a result, he has readily accepted the need for safeguards to be written into the operative clause of the measure, clause 1.

We have considered the Bill with great care. We believe that, although the powers are important, they do not raise any major issue of principle. They are squarely based on the powers taken in 1994 in the Criminal Justice and Public Order Act; and I remind my hon. Friends that not a single Member of the House voted against clause 62 of that Bill or spoke against it. Labour Front Benchers supported it; we thought it an important addition to the anti-terrorist laws; and we believe that the powers in the Bill, especially clause 1, fill a gap in the legislation that needed filling.

None of this would have been necessary but for the fact that the IRA unilaterally decided to end its ceasefire on 9 February, and subsequently killed and maimed many people and caused millions of pounds-worth of damage to shops and businesses. It is our fervent hope—and that, I believe, of all hon. Members—that the IRA will re-establish its ceasefire and that there will follow a process to secure a permanent peace. But so long as that peace is a more distant prospect than any of us would wish, it is important that these measures reach the statute book. I am glad tonight that by words and deeds we have assisted their progress.

12.51 am

Mr. Peter Bottomley: It is important, as far as possible, to maintain a bipartisan approach to these issues. If that means that my right hon. and learned Friend the Home Secretary gave way to Labour representations when these issues were discussed, that was well worth while. Agreement requires compromise, and if serious points raised in those discussions are reflected in assurances given, or in the Bill itself, the whole House will welcome that.

It is worth remembering that this Bill amends the Prevention of Terrorism (Temporary Provisions) Act 1989 and allows the police, and sometimes others, additional powers to prevent and investigate acts of terrorism. The provisions for searching those out of vehicles are merely broader than those in the original Act. The narrower powers in the original legislation to stop pedestrians and to search anything carried by them have been extended now to allow them to be searched, within reason. This wider power has been adjudged necessary. The events in London in February showed the need for it, and I have no doubt that is why the police suggested the change in discussions with the Home Office.

The rest of the Bill is probably not controversial. Clauses 2 to 5 and the schedule have not troubled anyone in the House unduly. What we have not heard yet is whether some of these powers already exist in the Republic of Ireland. My hon. Friend the Member for Basingstoke (Mr. Hunter) has told me semi-privately—[HON. MEMBERS: "Semi-privately?"] He talked to me just now when I was sitting in front of him. If in these debates we could be told what powers already exist in the Republic, we would sometimes discover that some hon. Members are raising fears that do not amount to fears in the 26 counties of Ireland. The same applies to some of the other countries in Europe. That is a useful context in which to put the Bill and that may reduce the temperature of the debate. It is easy in the House to get involved in great arguments of principle when no issue of principle is involved.

My final point is related to a telephone message I received from someone who chose to be anonymous and who asked why I was speaking for the people of Ireland. Although my Irish links are not as great as some people's, it is possible to repeat what people in Ireland say. They, whether secular or Church, partisan or non-partisan, say that they reject violence. Democracy is about debate, decision and defeat and not always about debate, decision and victory. Democracy is about being willing to abide by the views of the majority whether in Parliament or in the country.

Time and again, people have rejected violence in a country that has one person, one vote. That applies in the Republic of Ireland and the United Kingdom and that should allow people to follow the agreement made by the Prime Minister and the Taoiseach—be that the Downing Street declaration or further agreements—that the nations of these islands will work together for the benefit of the people. That requires giving support to the police services in Ireland and in the United Kingdom. My personal view is that the most important approach is not just police action but what the people do. I make one plea as the Bill moves on to another place: anybody who is concerned to reduce violence should tell Sinn Fein and the IRA, and the paramilitaries on the other side, to end the violence now, because it will not do any good. Crosses on ballot papers matter more than crosses in the cemetery. Democratic countries cannot be expected to give way to violence, because it is not the way forward.

12.56 am

Mr. Benn: This is a thoroughly bad Bill, which has been rushed through with indecent haste, and my hon. Friends who have voted against it will be shown to have been right.

One argument against the Bill has not yet been put—that the Bill will not contribute in any way to the ending of violence in Northern Ireland. I have sat in this place a long time and I have heard Ministers from both parties present Bills. I was in the Cabinet when the troops were sent in, and that was going to solve the problem. Partition was going to solve the problem. Stormont was going to solve the problem. Direct rule was going to solve the problem. Power sharing was going to solve the problem. Diplock courts were going to solve the problem, as were strip searches, supergrass trials, CS gas, and detention without trial. None of the policies pursued by successive British Governments, in line with the sort of speech that we heard tonight, has contributed to peace in Ireland.

The fighting ended, not as a result of anything that came from Ministers but because Albert Reynolds, my hon. Friend the Member for Foyle (Mr. Hume) and a former Member of the House, Gerry Adams, persuaded the IRA to stop fighting in the hope of getting talks going. That was what ended it. The police measures and the Sinn Fein ban did not bring about what everybody in the House wants—an end to the killing. I will not go further into that question because I am not a believer in scapegoats, but I do not believe that the Government made it possible for that to proceed.

It is worth reminding the House of certain events during the ceasefire. First, the mythology was propagated by some people that there was an attempt to get the north forcibly into the south. Nobody thinks that the Six Counties can be forced into the south. The Republic does not want the Six Counties. Does the House think that the south wants the Ulster Unionists sitting in the Dail? Of course it does not. We are talking about what was set out clearly in the Hume-Adams-Reynolds proposal—that the people of the island of Ireland would resolve their own future.

The second consequence of the ceasefire was that the two communities in the north got together—thank God. The communities have a lot in common, because there are many problems there that have not a sectarian basis but an economic or class basis. That has been an important development.

The third development was the involvement of Dublin. Although I know that some of my hon. Friends and the Ulster Unionists do not like it, the British Government cannot move without Dublin, which now exercises a sort of unofficial condominium with the British Government over the Six Counties. I welcome that.

President Clinton got in on it too. The authority of the British Government, who have always protested that they are the sole authority in Northern Ireland, was eroded because their policies failed, and an initiative came from within Ireland itself to bring about peace. I have long believed that the solution to this problem is to be found in the termination of jurisdiction. I have introduced many Bills, and I believe that that is what will happen.

British Government power cannot be enforced in Northern Ireland. Of course, I fully understand why the Unionists want that. They want the support of British troops when they get into trouble with their nationalist colleagues in the north. That is what the whole thing is about and the Unionists have played a significant part in preventing the talks from being held.

One of the factors that will ultimately persuade the British people—who, if opinion polls mean anything, have been in favour of a British withdrawal for 25 years—

[Mr. Benn]

is that our liberties and not just the liberties of the people in the north are going. The Bill touches on our liberties and it will persuade more people in Britain that our liberties and their liberties go side by side and that we must find an answer by talking and not by fighting.

Mr. Maginnis: Will the right hon. Gentleman give way?

Mr. Benn: We are under a terrible guillotine and I do not want to take too much time.

Mr. Maginnis: The right hon. Gentleman alluded to the Ulster Unionists.

Mr. Benn: I was not alluding to the hon. Gentleman personally. I am trying to make a point, but I shall give way to the hon. Gentleman.

Mr. Maginnis: I am not sure whether I should call the right hon. Gentleman Aesop or one of the Brothers Grimm. I have listened to his fairy tales for the past five minutes. He is very entertaining although he is not very realistic. He should consider what happened in London when what was referred to as the ring of steel was placed around the City to prevent terrorist activity. Was not that widely accepted and welcomed and did it not serve a useful purpose? The right hon. Gentleman's Front-Bench colleagues are nodding.

Mr. Benn: I suggest that the hon. Gentleman goes to the Victoria tower and pulls out the 1641 Act of Charles I for dealing with the rebels in Ireland. *[Interruption.]* This legislation is of Charles I proportions.

What I am saying may be unpopular but many predictions come true. The House cannot and has no right to govern Northern Ireland. It is not that the south wants to take over the north, but the problem must be resolved within that island. Until we recognise that fact, all the police powers that the Home Secretary can think up—and I have no doubt that given a bit of time he will think up some more—will fail to solve the problem. So far, none of them has achieved the objectives that were in the minds of those who advocated them.

1.3 am

Mr. Beith: The notion that the IRA does not wish to use the bomb to force people to accept what it could not get them to accept politically is plain naive and plain stupid. It has been trying to do that consistently for years and we have had to use all sorts of means to try to prevent it. Trying to change the political context in which the IRA is waging its war is obviously crucial to the whole issue. If police operations had not been mounted against terrorism, more people would have died and more would have been maimed.

It is necessary to have legislation. We may disagree about its precise content, but it has been important to have appropriate measures on the statute book. In that spirit we supported the Bill's Second Reading although we were critical of the procedure by which it was considered. The police were right to seek clarification of their powers and, in some respects, an extension of them. We supported the proposal that clause 1 should stand part of the Bill because the Committee examined that clause and considered amendments to it. Clauses 2, 3, 4 and 5, however, were not discussed in Committee, and nor was the schedule. Most of the Bill has never been examined in Committee. A simple illustration of the problems that we would encounter arose when, along with others, I sought to raise the position in Scotland. No Scottish Office Minister attended the Committee: Scottish Office Ministers must have been told that the intention was not to reach the parts of the Bill relating to Scotland.

There is still the puzzle about who are the civilians who will be allowed to use force in the exercise of functions set out in the Bill. It is difficult to understand what powers we shall unleash if we give untrained civilian staff the right to use force in the context of a Bill such as this. That is one of many details that have never been examined. It does no service to the police or the public to enact legislation in this undigested, unexamined form, relying wholly on a few parliamentary draftsmen and officials in the Home Office and hoping that they got it right in the first place. Past experience suggests that that will not be the case.

We should have examined the Bill properly, but we have not. The Home Secretary cannot expect us to support the Third Reading of a Bill almost all of which has not been examined in Committee.

1.5 am

Mr. Mallon: Only three weeks ago, we spent three hours debating the renewal of the prevention of terrorism Act. During that debate, the Home Secretary gave no indication that there had been a request or a demand for additional powers such as these, or that he was thinking in terms of such powers.

One question remains unanswered. Was the Bill drafted after the renewal of the Act, and was whatever information the Home Secretary is privy to available to him before the renewal of the Act? Was the Bill ready and waiting to go, and was it held back—for whatever reason—until the night before Parliament was due to rise for the recess? That is crucial. Until we know the answer, it will be difficult to avoid the suspicion—a reasonable suspicion, in my view—that the way in which the Bill has been presented is a cynical exercise, and that its provisions could have been considered during the renewal of the PTA. It is for the Home Secretary to clarify the matter. In the circumstances in which the Bill has been presented, I think that he owes it to the House to tell us whether the Bill was drafted before the debate on the renewal of the PTA.

I have another question. We have often heard the accusation from some parts of the House that the terrorism at Canary wharf emanated from the Republic of Ireland, that the bombs were assembled there and brought from there and that the bombing resulted from activities in the Republic.

Mr. Maginnis: Yes.

Mr. Mallon: I thank the hon. Gentleman for confirming that. If he is right—the Home Secretary seems to think that he is on most occasions—did the British Government share their intelligence with the Irish Government in relation to the need to present the Bill tonight?

Those two questions require answers. If the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis) is right and the accusation has been made against the Republic, surely the Home Secretary had a duty to inform the Irish Government of the security danger that existed within the Republic, which—if the hon. Gentleman is right—might stem from the Republic. In the circumstances, the Secretary of State must answer those two questions to avoid the reasonable suspicion that the way in which the Bill has been presented is an act of cynicism.

1.9 am

Mr. Corbyn: The debate is a complete travesty of parliamentary democracy and of the scrutiny of legislation by the House of Commons. It is less than 34 hours since the Home Secretary told the House that he was going to introduce the Bill, since when we have rushed through a very serious Bill without proper consideration, examination or debate. It was only because of the protests made yesterday and this morning by a considerable number of hon. Members that we were able to table and discuss amendments.

The Bill builds on bad legislation known as the prevention of terrorism Act, which has resulted not in the prevention of terrorism but in many Irish people—so far as Great Britain is concerned, they are mainly in London—being stopped, searched, held for up to seven days without access to a solicitor and, in most cases, then released. They have never forgotten the experience. The Bill gives the police powers in designated areas to stop and search people at random and there are apparently no rights for people who are wrongly treated as a result of it.

As my right hon. Friend the Member for Chesterfield (Mr. Benn) has pointed out, the House has discussed—in my experience of almost 13 years—dozens of various security measures that were supposed to bring an end to the problem in Ireland. They have not done so. The only solution can and must be political. I would have found it far more credible if the House had instead spent more time debating the need for the development of the peace process, all-party talks, constitutional change to end the Unionist veto in Northern Ireland and long-term peace. We would serve people far better by doing that than by passing legislation that will alienate many people in London and other cities in the country, particularly the young. We ought to be considering the peaceful future that could be attained.

The Bill brings only discredit to the House of Commons. It is an aberration of any democratic process. I hope that the House will reject it, but I recognise that that is very unlikely. I hope that there will be an opportunity in the near future to repeal the Bill, the PTA and all the other illiberal, uncontrollable legislation that has passed through the House.

1.12 am

Mr. Bennett: The main aim of terrorists is to destroy the democratic process, and over the past 12 hours we have played into their hands. We have shown them a travesty of the democratic process. It is appalling that the Government did not take time to ensure that the Bill could be discussed properly. We are told that it would have been perfectly reasonable for the Government to have published the Bill last week when they decided to go ahead with it. At least then people outside the House would have had a chance a read it, comment on it and suggest amendments via Members of Parliament. But no, the Government chose not even to publish a rough draft until yesterday. The Bill itself was published only today. We just about managed to debate clause 1 in Committee, but failed to debate properly another six clauses and a schedule.

I made it quite clear in the debate on the guillotine motion that if the Government had said that emergency legislation was needed for a week or two, after which the proper democratic process would be observed, they might have been able to justify it. To want to implement permanent legislation in such a way is absolutely appalling. When they behave in such a way, the Government play into the terrorists' hands because they demonstrate that things are unfair and unjust.

I would have liked the opportunity to put one or two questions, especially on parts of the Bill that we did not have the chance to consider in Committee, some of which I would certainly have supported. I would have asked the Secretary of State for some reassurances, especially on the powers to search non-residential buildings. The police should be entitled to search premises such as lock-up garages without having to seek a warrant, but following any search they must ensure that lock-up garages and other premises are left secure so that the owner can return to them. I hope that the Minister will tell us in the short time remaining whether he will give some guarantees that those assurances can be built into the guidance.

The proposed right of police officers to inspect goods at ports seems very sensible, and it is amazing that we have left that to customs officers, but there is a power to detain goods for up to seven days, and some of the goods that can be detained are date-sensitive and perishable. I should have thought that the Secretary of State could have assured us that the guidance will place a duty on the police to ensure that goods held for inspection are released as soon as possible.

Finally, I wish to refer to the banning of cars from particular areas—again, a perfectly sensible proposal. But if we are trying to ban vehicles from areas around public buildings, it may be easy to do that at night when there are no cars around. It is clear that it is intended to use the power in residential areas, and that causes a greater problem. People in many areas are entitled to park outside their homes, but they may not be in a fit state to drive their car away when asked to do so by a police officer. Again, the Secretary of State could have informed us what provisions are proposed to meet such a situation.

Those are the sort of matters on which we should have asked the Government for assurances. Instead, we have had the farce of legislation being rushed through with little or no time for hon. Members to make reasonable points and to ask the Government for guarantees. Such behaviour plays into the hands of the terrorists.

1.16 am

Ms Abbott: I shall vote against the Third Reading of the Bill. On behalf of all my colleagues who will also be doing so, I must say how much we resent the cheap argument that anybody who criticises the way in which the Bill has been pushed through, or anybody who criticises any detail of the Bill, is in some sense soft on terrorism or is giving aid and succour to the people who

[Ms Abbott]

blow up men, women and children. In my constituency, we could hear the Canary wharf bomb go off, and I resent—as do my colleagues—the implication that in some sense we do not take the matter seriously and are soft on terrorism.

I shall vote against the Bill because the way in which it has been pushed through Parliament shows contempt for our procedures and for the electors whom we are supposed to represent. I shall also vote against the Bill because I cannot accept giving the police wide-ranging powers to stop and search. Those of us who were present in the Chamber for the debates on amendments to clause 1 heard the heartfelt speech of the hon. Member for Newry and Armagh (Mr. Mallon). He spelt out the consequences of similar legislation in Northern Ireland for the relationship between young people and the police. The Bill will have exactly the same negative repercussions on young people on the mainland as it did in Northern Ireland.

The Home Secretary asked what our constituents would think if they could hear the debate today. If my constituents had heard the debate, they would have thought, "If the legislation is so important, why are the Government so adamant about not giving sufficient time to debate it?" If my constituents—black, white, Asian or whatever their ethnicity—aged under 21 could have heard the debate, they would have understood, as Conservative Members and some of my hon. Friends failed to understand, the concerns that I expressed about giving police wide-ranging powers to stop and search. They would have understood that point, and it is a shame that the House did not.

I shall also oppose the legislation because I dislike the cynical motives of the Home Secretary in promoting it. I believe that when the history is written of 20th-century Home Secretaries, the present one will go down for many things. He will go down in history as the agitprop Home Secretary—a Home Secretary who ruthlessly promoted legislation purely for the purpose of making propaganda.

One of my and my colleagues' fundamental objections to the Bill is that we do not believe that it is only in the past 72 hours that the Home Secretary has discovered the need for it. We do not believe that it gives the police powers to do things that they could not already do without let or hindrance. We believe that the Bill has been promoted cynically as a means of propaganda and to allow Conservative Members the chance to paint this party and my Front-Bench colleagues as soft on terrorism.

My hon. Friends and I believe that promoting legislation for those purposes demeans the House and demeans the parliamentary process. I shall be proud to vote against the Bill tonight. I suspect that when people look back, they will believe that those of us who were prepared to vote against the Bill did the right thing.

1.20 pm

Mr. Howard: By leave of the House, Mr. Deputy Speaker. The debate on Third Reading has made up in the sharpness of its controversy for the relative absence of controversy in our proceedings hitherto. I was particularly interested in the speech by the right hon. Member for Chesterfield (Mr. Benn), which I thought encapsulated his entire political career. He put up an Aunt Sally and then knocked it down. He suggested that the new powers would not achieve peace in Ireland. Of course that is right; we have never put them forward on that basis.

I have never suggested that the purpose of the powers was to achieve peace in Northern Ireland and an end to the terrorist campaign in Great Britain. I would like to see peace achieved and I would like to see an end to the terrorist campaign—we are pursuing that objective through other means. The purpose of these powers is much more limited. It is to give our constituents the protection that they deserve from terrorist attacks. That is why our constituents have sent us here. If there is one thing that they care about more than anything else, it is the need for protection against terrorist outrages. That is what our constituents want—young as well as old. They would understand the police's need for the additional powers. That is why the powers are necessary, that is why the powers are urgent and that is why I commend the Bill to the House.

Question put, That the Bill be now read the Third time:—

The House divided: Ayes 145, Noes 13.

Division No. 97] **[1.21 am**

AYES

Alexander, Richard
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Atkinson, Peter *(Hexham)*
Banks, Matthew *(Southport)*
Bates, Michael
Beggs, Roy
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bowis, John
Brandreth, Gyles
Browning, Mrs Angela
Burt, Alistair
Butler, Peter
Carrington, Matthew
Carttiss, Michael
Cash, William
Chapman, Sir Sydney
Clappison, James
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'ire)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Deva, Nirj Joseph
Devlin, Tim
Douglas-Hamilton, Lord James
Dover, Den
Duncan Smith, Iain
Dunn, Bob
Elletson, Harold
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Faber, David
Fabricant, Michael
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Fox, Dr Liam *(Woodspring)*
French, Douglas
Gallie, Phil
Garnier, Edward
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Gorst, Sir John
Greenway, Harry *(Ealing N)*
Hamilton, Rt Hon Sir Archibald
Hampson, Dr Keith
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Hawkins, Nick
Hawksley, Warren
Heald, Oliver
Higgins, Rt Hon Sir Terence
Howard, Rt Hon Michael
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunter, Andrew
Jenkin, Bernard
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Leigh, Edward
Lidington, David
Lilley, Rt Hon Peter
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McCrea, The Reverend William
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Maginnis, Ken

Maitland, Lady Olga
Martin, David *(Portsmouth S)*
Merchant, Piers
Mitchell, Andrew *(Gedling)*
Moate, Sir Roger
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Oppenheim, Phillip
Page, Richard
Paice, James
Paisley, The Reverend Ian
Patnick, Sir Irvine
Pattie, Rt Hon Sir Geoffrey
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Richards, Rod
Riddick, Graham
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Peter *(Belfast E)*
Ross, William *(E Londonderry)*
Shepherd, Sir Colin *(Hereford)*
Spencer, Sir Derek
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Streeter, Gary
Sweeney, Walter
Taylor, Sir Teddy *(Southend, E)*
Thomason, Roy
Thompson, Patrick *(Norwich N)*
Viggers, Peter
Waller, Gary
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whittingdale, John
Widdecombe, Ann
Willetts, David
Wolfson, Mark
Wood, Timothy
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Simon Burns and
Mr. Richard Ottaway.

NOES

Barnes, Harry
Benn, Rt Hon Tony
Bennett, Andrew F
Grant, Bernie *(Tottenham)*
Livingstone, Ken
McGrady, Eddie
McNamara, Kevin
Madden, Max
Mallon, Seamus
Michie, Bill *(Sheffield Heeley)*
Sedgemore, Brian
Skinner, Dennis

Tellers for the Noes:
Mr. Jeremy Corbyn and
Mr. Dennis Canavan.

Question accordingly agreed to.

Bill read the Third time, and passed.

A41 (Aston Clinton Bypass)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Streeter.]*

1.32 am

Mr. David Lidington (Aylesbury): In a few hours' time my constituents in the village of Aston Clinton will wake up to the rumble of lorries and the roar of cars passing through their small village. I am grateful for the opportunity to bring to the attention of the House the long wait that those villagers have had for a road improvement first promised them in 1937, and to press on my hon. Friend the Minister for Railways and Roads the case for the Aston Clinton bypass to be given the highest possible priority, within what my constituents and I accept is inevitably a finite road budget in any one year.

The A41 at Aston Clinton has always been a major road, right back to Roman times when, as Akeman street, it was one of the highways of Britain. As a trunk road, it now divides the village, with most of the homes and the village school on one side of it, while most of the public amenities—the church, the post office, the village hall, the sports and social club, the recreation ground and the bus stops to the nearest town, Aylesbury—are on the other. The trunk road is continuously fronted by homes, public houses and a school; all are exposed to noise and fumes. Some of the older houses have windows less than 2 yd from the edge of the carriageway. A large number of private driveways and garage paths give access directly on to the trunk road which, as my hon. Friend can imagine, causes problems of additional congestion. About 15 minor roads and lanes join the A41 during its course through the village.

The congestion on the A41 is a long-standing problem and was recognised as such in the report of the inspector who conducted the public inquiry in 1990, who said:

"there is already traffic congestion and accidents occur."

The plight of the people of Aston Clinton has been made much worse since the opening of the Berkhamsted and Kings Langley bypasses in 1993. Aston Clinton is now the only village on the A41 without a bypass between Aylesbury and the M25.

Since the opening of the Berkhamsted and Kings Langley bypasses there has been a 19 per cent. increase in average daily traffic flows through Aston Clinton, equivalent to 24,700 vehicles per day according to the most recent figures that I have obtained, and a 20 per cent. rise in peak flows, equivalent to 2,300 vehicles each hour at peak times in each direction.

The proposed bypass scheme has a long history. Back in 1937, the A41 at Aston Clinton was recognised as inadequate and a scheme was proposed to widen the road to three lanes. That was approved by the then Government under the Restriction of Ribbon Development Act 1935, but nothing was done. In 1956, the then Minister of Transport agreed that predicted traffic flows meant that a bypass was needed rather than mere road widening, and Buckinghamshire county council was instructed by the Government to prepare a scheme. Two years later, in 1958, draft orders were published, but they were never confirmed.

No action was taken until the 1970s, when the Department of Transport again investigated routes both north and south of the village; none was developed.

[Mr. David Lidington]

By 1981, the Aston Clinton bypass was included in the reserve list of road schemes in the Government White Paper entitled, "Policy for Roads: England 1981", and the start of works was assumed to be from 1986 onwards—I emphasise that the year was 1986.

In 1982, the Department of Transport asked Buckinghamshire county council to carry out a fresh investigation of alternative routes. In 1987, the then Minister finally announced the preferred route for consultation. The Department then said that according to its programme

"construction would start towards the end of 1989."

The Department added:

"This may be optimistic. We will do our best."

In May 1988, the Department said that the estimated start date would be early 1990, with completion likely in 1992, at about the same time as the Kings Langley and Berkhamsted bypasses were then expected to be completed.

In the autumn of 1989, draft orders were published and in April and May 1990 a public inquiry was held. The inspector at that inquiry completed his report quickly and dated it 3 July 1990. It was not until 12 months later, on 19 July 1991, that his report and the letter announcing the ministerial decision were published. In a press release dated 22 July 1991, my hon. Friend's predecessor, Mr. Chope, said:

"Work on the A41 Aston Clinton bypass in Buckinghamshire could begin as early as next year."

By April 1993, however, the Department was saying that the earliest that work could start would be in 1994-95. By December 1993, that start date had slipped to 1995. In 1993, however, some progress was made when orders were issued. The issue of supplementary orders required a further public inquiry in November 1994 and its report and decision were published in July last year.

Much to the relief of my constituents, the Government's review of their road programme during the latter part of 1995 led to the Aston Clinton bypass being kept within the Government's overall road programme. Indeed, it was singled out for mention by my right hon. Friend the Secretary of State for Transport in his press statement, which accompanied the release of details of the Government's trunk roads programme.

The history of this is important. I want my hon. Friend the Minister to understand why my constituents are impatient and why they have become cynical over the years about reassurances from the Department of Transport that never seem to be translated into action. It is true that part of the delay has been occasioned by genuine objections which needed to be discussed and properly considered.

My constituents in two small villages—Buckland and Drayton Beauchamp—face the loss of tranquillity in their village environments when the Aston Clinton bypass is eventually built. It was right for their objections and counter-proposals to be fully considered. However, some of the residents of the villages are now saying to me that if the bypass has to be built, we should get on with it as quickly as possible. At least then the blight on their homes would be removed and compensation arrangements could begin to be sorted out. Within Aston Clinton the great majority of people and organisations strongly support the bypass scheme and agree with the inspector's conclusion of 1990 that the need for the bypass is urgent.

All the elected representatives of Aston Clinton have given strong support to the bypass scheme. In particular, County Councillor Bill Chapple, the local ward councillor, has been unstinting in his campaign for the bypass to be built as quickly as possible. He has been supported by the district councillors, Don Evett and Gavin Chapman, by Aston Clinton parish council and by the Aston Clinton Residents Association.

In conclusion, I remind hon. Members of the submission of the Department of Transport to the public inquiry in 1990. The Department said that the bypass represented good value for money, that it would remove about 75 per cent. of the traffic from the A41 through the centre of Aston Clinton and that it would reduce accidents. This is a good and a worthwhile scheme. My constituents have been waiting for it for a long time. I hope that my hon. Friend the Minister and his colleagues in the Department of Transport will see their way to giving it the highest possible priority within their programme.

1.42 am

The Minister for Railways and Roads (Mr. John Watts): My hon. Friend the Member for Aylesbury (Mr. Lidington) has been a strong and persistent advocate of the A41 Aston Clinton bypass. I reassure him that there is absolutely no doubt about the importance of the scheme, which is why it remained firmly in the main programme after the thorough review of the programme that I conducted last year.

The section of road between Aylesbury and Tring Hill is the last section of the A41 to be improved to dual carriageway standard between the M25 and Aylesbury. The new bypass will have grade-separated junctions to the north of Aston Clinton from the A41 Tring bypass to a proposed at-grade roundabout on the existing A41 to the west of Aston Clinton—a length of about four miles.

The road in question already suffers from congestion; slow-moving vehicles burn more fuel and create more harmful emissions; Aston Clinton, in particular, suffers from noise and fumes; the congestion reduces the efficiency and reliability of road transport for industry and increases the cost for consumers; local journeys are made more difficult; and even simple errands—such as visiting the shops, getting to work or dropping the children off at school—take more time. With further forecast traffic, the situation will become worse—and we cannot hope that the traffic will disappear.

My hon. Friend has made it abundantly clear—here today, previously in correspondence and many times in the Lobby—that he is increasingly concerned about the volume of traffic on the A41. I am well aware of this. As he said, there have been increases of approximately 19 per cent. and 20 per cent. in the annual average daily traffic flows and peak hour traffic flows on the A41 at Aston Clinton since the opening of the Berkhamstead to Kings Langley bypass.

The relief brought to the village as a result of the bypass will be substantial. We estimate that traffic flows will fall by more than 70 per cent.—which would mean some 14,000 vehicles a day being taken away from people's homes and schools. This will undoubtedly

improve the quality of life for those who live and work in Aston Clinton. Moreover, the bypass is estimated to save more than 500 personal injury accidents and about eight lives over 30 years.

As my hon. Friend acknowledged, much of the delay has been in overcoming objections and completing statutory procedures. Some procedures remain to be completed. The public inquiry in November 1994 heard objections to draft supplementary orders implementing modifications to the scheme, which were recommended following the original inquiry in 1990. These modifications, which included measures to minimise the impact of the new road on the environment of St. Mary's church in Drayton Beauchamp, will be the subject of orders that will be made later this summer.

There will follow a six-week period when those orders are open to challenge but, following completion of these statutory procedures, the road will be ready for start of works and the start of works will depend solely on the availability of funding. I cannot give any guarantees of when that will be, but I can reassure my hon. Friend that the scheme will be the nearest to the starting line that it could possibly be and I think that, after hearing what I said about the merits of the scheme, he will understand that nothing would gladden me more than to be able to find the resources, to allocate them to the scheme and to let his constituents have the bypass that they have supported so strongly and for which they have waited so long.

Question put and agreed to.

Adjourned accordingly at fifteen minutes to Two o'clock.

House of Commons

Wednesday 3 April 1996

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

9.35 am

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): On a point of order, Madam Speaker. As a matter of courtesy to the House, I should like to explain that, because there is a Cabinet meeting this morning, I shall not be able to be present for the whole of the debate. My hon. Friend the Parliamentary Secretary, Office of Public Service, will be present when I am not able to be here and I hope to come back later this morning. I hope that, in the circumstances, the House will understand and will not think me discourteous on this traditional House of Commons occasion.

Madam Speaker: The House understands and appreciates the comments made by the Leader of the House.

Adjournment (Easter)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Conway.]*

9.36 am

Mr. Tom Cox (Tooting): In the Christmas Adjournment debate I spoke about the problems which, sadly, existed then at St. George's hospital, Tooting, which is in my constituency. It is one of the largest hospitals in London and it serves the health needs of people living in a very wide area of south London. It is an excellent hospital. No one would question the skills or the care of its staff, whatever role they may play in the day-to-day running of that hospital.

When I spoke in December, I highlighted the concerns and problems of senior consultants, doctors and nursing staff at the hospital and the continuous pressure that they faced in providing the health care that they wanted to provide and that the general public expected. I spoke about the visits that I had made to the hospital and the meetings that I had had with members of staff. I return to that issue today.

More than three months have passed since I last spoke about St. George's hospital and, sadly, the problems still exist. Following my speech in December, I received a letter dated 11 January 1996 from the Minister for Health. He commented, as I did, on the dedication of the staff at St. George's hospital. He talked of increased funding and of the pressures on hospitals; and of seeking to improve arrangements for the discharge of patients. He said that, last year, the hospital had received 25 five-star awards in the national health service performance tables.

I sent the Minister's letter to Dr. Millard, a senior consultant physician at St. George's hospital. That gentleman was the doctor who wrote to me last year pointing out the problems and who showed me round when I made my visits to the hospital. Dr. Millard was not impressed by the Minister's letter. He sent me a reply dated 22 January 1996, in which he questioned the Minister's claim that finances had been increased and pointed out, as I did in the Christmas Adjournment debate, that Wandsworth health authority had seen a cut in its budget of 24 per cent. since 1993.

We in Wandsworth have lost a great deal of funding and the real question that was not answered by the Minister is about the extent to which the increases that he referred to relate to the sizeable sums of money that we have lost in recent years. That is what Dr. Millard, staff at St. George's and I, as the local Member of Parliament, believe to be the question.

Dr. Millard says:

"There has been no increase in the number of beds at St. George's. There is a plan to increase the number of beds by eight which is obviously inadequate in the present circumstances. There has been no improvement in the arrangements for discharging patients and we still have patients in acute beds who could be looked after in the community.

The reference to the NHS tables is something which staff of the hospital find particularly unreasonable. Twenty-five star awards do not reflect what is going on and seems to us nothing more than Government propaganda."

That is the response of a senior doctor at the hospital to the Minister's letter. The Minister told me and local people, "Don't worry, things are not that bad," but a senior doctor working at the hospital says that the problems that they face in the hospital's day-to-day running are not being tackled by the Government.

I also received a letter dated 24 January 1996 from Dr. Elizabeth Vallance, the chairlady of St. George's Healthcare NHS trust. She said:

"Thank you for taking the trouble to let me see Gerry Malone's letter to you.

I am glad he is so fulsome in his praise of St. George's. Our problems, of course, remain but we are doing our level best to deal with them within our resources."

I also received a letter that refers to St. George's from the British Medical Association, dated 11 January. It states that there is

"a lack of slack in the hospital system due to the run down in the number of beds . . . wards are being closed for financial reasons such as reducing staff numbers".

There is a total lack of preparation for the discharge of patients, which means that

"beds are blocked by elderly patients who are unable to be discharged into the community and therefore remain in hospital."

None of the responses that I have received since my December Adjournment debate speech has agreed with what the Minister told me in his letter.

In February, I was approached by the "World in Action" television programme about St. George's hospital and told it what I knew. It approached doctors, staff and patients at the hospital and in March, it produced a programme devoted solely to the problems of St. George's hospital, Tooting. I doubt whether any major television company would spend time and money producing a programme if there was not a serious issue involved. After that programme, I received a vast number of letters from

[Mr. Tom Cox]

people all over the country saying that they had the same problems—the staff and the hospital are great, but the services and resources that they get are not enough to provide the sort of care that they want to give. I and the people working in St. George's hospital make that charge again today.

Ministers do not want to face the facts. London and St. George's have lost millions of pounds in recent years. That money has gone out of London to other areas well outside it. I have some facts that show why we in Wandsworth regard the issue as crucial. Hospital admissions in Wandsworth are 18 per cent. above the national average. It is in the highest 10 per cent. in the country for hospital admissions of the elderly. It has one of the lowest—15 per cent.—day centre elderly attendances because of insufficient day centre provision in the borough. Out of 366 national districts, Wandsworth is the 21st most deprived area. That is our position, and the hospital, its staff, local people and the British Medical Association all know it.

I again highlight that we urgently need extra funding for the hospital, so that it can provide the sort of care that it wishes to provide and that the community needs and seeks. I close by begging Ministers to start listening and doing something to tackle my concerns, because they will not go away. The position has sadly worsened because of the lack of action between December and early April. It will continue to worsen unless, at long last, we get Ministers who listen to the people running the system and start to give us in Wandsworth the adequate funding that is so urgently needed.

9.45 am

Mr. David Alton (Liverpool, Mossley Hill): I am grateful for the opportunity to speak in this debate. It is an opportune time to discuss violence on television and in the electronic media generally because on the day that we return after the Easter recess, we shall have the Second Reading of the Broadcasting Bill, following completion of its Lords stages. There will be an opportunity to discuss whether we should include a V-chip—V for violence—in new television sets to be manufactured in the United Kingdom.

I can report already that an all-party group of hon. Members has supported such an amendment, which has been lodged for discussion before it can be tabled. On video violence, I draw attention to the early-day motion that stands in my name and those of the right hon. Member for Selby (Mr. Alison) and the hon. and learned Member for Burton (Sir I. Lawrence), who is the Chairman of the Home Affairs Select Committee. It is supported by Members on both sides of the House and has more than 200 signatures objecting to the release for home viewing by the British Board of Film Classification of the video of the film "Natural Born Killers".

I shall discuss those two specific questions and then deal with the general issues that they raise. First, the European Parliament has considered the V-chip and said that it wants Europe-wide action on its inclusion in television sets. It is not some faraway technology for the distant future. It was invented in Canada three years ago and on 14 March, Keith Spicer, the chairman of the Canadian Radio-television and Telecommunications Commission, said:

"The Canadian public, and in particular parents, have told us they want further action to protect their children against gratuitous and glamorized TV violence. Nearly two million Canadians have signed petitions saying this, and scores of parent, teacher, medical and public interest groups have spoken up for a sensible balance between protecting children and protecting creative freedom."

The Canadian Parliament has already decided that the V-chip will be made available from later this year in all new television sets. It recognises, as I do, and as Lady Howe has recently said in this context, that that is a tool in the armoury of parents and not the solution. Broadcasters must continue to be responsible about what is broadcast, but it can be a useful weapon for parents who wish to sift what their children watch. The American Congress has taken the same decision. Instead of waiting, or pushing the matter to a Select Committee for discussion, we should consider carefully the legislation in Canada and the United States and take seriously our obligation to do something similar.

I am grateful that the Home Office has already indicated its strong support for the proposal. When I raised the matter with the BBC, it too had no objection in principle to the V-chip being included in new television sets. The only question mark so far has been raised by the Department of National Heritage. I understand that the Secretary of State for National Heritage was misquoted in the *Financial Times* last week, when it was implied that she did not support such a proposal. I hope that there is an open mind and that we shall have a chance to consider the issue in the context of the Broadcasting Bill.

Similarly, I hope that we shall reconsider gratuitous video violence. Two years ago, in an amendment to the Criminal Justice and Public Order Bill, which received widespread support throughout the House, we decided to take action against material that was likely to contain gratuitous violence and might have a psychologically damaging effect on the children who saw it.

That amendment was passed, so I found it amazing that, a few weeks ago, James Ferman of the British Board of Film Classification passed for home viewing—as distinct from what is already available for viewing in cinemas, where there are much tighter controls on the age of people seeing the material—"Natural Born Killers". The House should bear it in mind that that film contains 50 random killings and involves an orgy of bloodshed. The perpetrators of the crimes simply ride off into the sunset with no action taken against them. Is that the sort of thing we want our children to see; more to the point, is it in accordance with the new law that Parliament enacted?

If James Ferman and the BBFC are incapable of telling the difference between a film such as "Schindler's List", in which the violence is set in a moral framework, and "Natural Born Killers", it is time that we appointed a new board. The issue needs to be taken much more seriously.

Dr. Robert Spink (Castle Point): The hon. Gentleman is no doubt aware that guns have been available in this country for many years, yet only recently have there been the terrible tragedies of Hungerford and Dunblane. Will he speculate on what might have changed to cause guns to be used so violently? Could it possibly be the continual diet of violence that we and our children are getting?

Mr. Alton: I am glad that the hon. Gentleman raised that question. That has been one of the significant changes in this country, and I shall return to that subject. I agree with him.

Before to my election to the House 17 years ago, I worked with children with special needs, many of whom were excluded from school because of disturbance or maladjustment. Those children were not exposed to the high level of gratuitous violence that seems to pour into our homes now, particularly through the video, but also through computer games, in which they are given choices that involve garrotting or raping their victims. Clearly, the scale and nature of what our youngsters are exposed to today is very different from that of two decades ago, and we must take that issue seriously.

The context of my amendment two years ago was the killing of a young boy, James Bulger, in the city of Liverpool, by two nine-year-olds. In the aftermath of the verdicts, the trial judge remarked on "the striking similarities" between scenes in the video "Child's Play 3" and the attack on James Bulger. Whether people accept the definite link, it has to be said that that film and 440 other videos had been hired during the previous few years by the father of one of the boys. The videos included soft pornography, violent horror and necrophilia. In Manchester at almost the same time, a chant from the same film was used by the torturers of the teenager Susan Capper. She was taunted with that chant while she was subjected to the most brutal and horrifying assault. Eventually, she died.

Meanwhile, in Norway, the film "Power Rangers", which was shown in the United Kingdom on Saturday mornings, was withdrawn and a link was suggested between the killing of a five-year-old girl by her six-year-old friends and an episode of the programme. During the very same week, the Lincoln coroner, Roger Atkinson, said that an episode in the ITV series "Cracker", in which two characters were stabbed to death, could have led to the murder of a midwife 12 hours later. Granada Television dismissed the coroner's remarks as only his "opinion".

It is a fact that about 400 killings, 119 woundings and 27 sex attacks on women are screened every week in this country. We are told that that is only a reflection of real life, but that is an absurdity because there are only 14 killings in an average week in real-life Britain, not 400.

Violence in Britain and America—where it is considerably worse—has become gratuitous and random. Gruesome, violent death, mutilation and serial killing have all become an art form that can be turned on or off with the flick of a switch. The climate of violence—real and imagined—has led to ordinary citizens living in fear. People no longer feel safe in their homes, let alone in the parks or streets, or at night, time on public transport. Security companies and the alarm systems that they sell for personal use, for cars, homes, offices and workplaces, are a booming industry.

Meanwhile, the entertainment industry seems to be in the throes of a passionate love affair with violence, embracing it at every opportunity. We are becoming emotionally deadened by the horrors that we witness and have come to accept violence as normal.

When Lord Rees-Mogg was chairman of the Broadcasting Standards Council, he said:

"Television is an extremely important reinforcement agency in most of the areas in which it operates."

British academics continue to agonise about the links between behaviour and what people see. The American Psychiatric Association linked television to 50 per cent. of crime in the United States. By adolescence, a young American will have seen 100,000 acts of violence and 8,000 murders on television.

As the hon. Member for Castle Point (Dr. Spink) implied in his intervention, real crime has risen inexorably in this country. One in three of those of us who were born here in the 1950s now has a criminal conviction, and in a third of cases it involves violence. Professor Elizabeth Newsome and nearly 30 child psychologists, child psychiatrists and paediatricians published a paper, which I asked them to write, courageously stating that they had previously been "naive" in underestimating the links between how people behave and what they see.

Our own Royal College of Psychiatrists has also pointed to media violence as one area in which tighter controls could help protect vulnerable children. The Professional Association of Teachers spoke to 1,000 teachers in different parts of the United Kingdom, and more than 90 per cent. of respondents believed that children's emotional, social and moral development was being damaged, sometimes irrevocably, by what they saw.

For years, national paranoia has led us to tilt at imaginary Spanish windmills and French farmers, while we remain indifferent to the Americanisation of British values and our way of life. British culture has been increasingly dictated to by American tastes in everything, from what we eat to what we watch. Some of the least attractive aspects of life in modern Britain, such as drug dependency, street crime and mugging, screen violence and the disintegration of family and community life, were all manifesting themselves in the States many years before they were washed up on our shores. It is a fact that, when America sneezes, we tend to catch cold.

If we are not convinced by what the psychologists, psychiatrists, teachers and parents say, let us put on record what David Puttnam—probably one of the most admired people in the field of creating good film and video material—has to say on the subject:

"What proof are we looking for, I wonder? Are we going to wait a decade or two to see if there is a fresh outbreak of gruesome murders before deciding perhaps 'Driller Killer' wasn't the thing to show the kids after all? Does the railway company wait for someone to be killed by a train before fencing off the railway line?"

He added:

"Does common sense not tell us that it is foolish to debate whether watching sadistic pornographic films makes children into dangerous psychopaths? Leaving aside the impact this influence may or may not have in future for the rest of us, what is abundantly clear is that, for them, as immature human beings, watching sadistic pornographic films has to be a very bad idea".

If the advertisers in this country thought that there was no link between what people watch and how they behave, they would not have spent some £4,000 million over the past 12 months advertising their wares on television and trying to sell them. The chairman of Unilever once said that he knows that half of what is broadcast on television has no impact on those who see it, but the only problem is that he does not know which half. Clearly, there are more than just casual links in this regard. There is now increasing empirical evidence—worldwide—of the links between how people behave and what they see. Time and again, the evidence points to a correlation.

When we debate the Broadcasting Bill immediately after the House returns, we shall have a chance to put real power into the hands of television viewers, by giving them the V-chip. We shall also have a chance to amend

[Mr. Alton]

the legislation to allow for a national audit to be conducted each year, so that the programme makers have to report to Parliament on the level of violence that they transmit. We shall also have the chance to bring to task bodies such as the British Board of Film Classification and Warner Brothers UK, which creates films such as "Natural Born Killers".

On the day after the Dunblane massacre, the managing director of Warner Brothers UK telephoned me from California to say that, in the light of what had happened, it had withdrawn, for the time being, "Natural Born Killers" from the home viewing market—it was to have been released on Mothering Sunday. However, he said that he would review the decision in a few weeks from now. I leave hon. Members with the following question: if it was not right to screen that film on the day after the terrible massacre, what will make it right and proper to screen it in the weeks to come?

10.1 am

Mr. Jon Trickett (Hemsworth): Madam Deputy Speaker, I thank you for giving me the opportunity to make my maiden speech this early in the debate. When hon. Members make a maiden speech, they suffer from nerves, and it is helpful to make it early in the debate. I am conscious of the traditions of the House, and that when one makes a maiden speech, one refers to one's predecessor. On this occasion, it is easy and a pleasure to refer to Derek Enright—and it is something that I would have wanted to do.

Derek Enright was an extremely hard-working and diligent Member of the House. I know that to be the case, because of comments that hon. Members from both sides of the House have made to me since my arrival. He was well loved, as Madam Speaker commented when I first entered the House. In a short space of time, he established a presence in the Chamber and throughout the Palace. It is a tragedy that he was perhaps unable to fulfil all his ambitions.

Hon. Members may not know that Derek Enright made a major impact in the constituency. During the by-election, I met hundreds of local constituents, residents and voters, almost all of whom told me—unprompted—of their deep affection for their Member of Parliament. He was loved in the constituency. The degree of unanimity in what I heard about my predecessor wherever I went during the by-election was remarkable.

Obviously, it is difficult to single out any one or two aspects of work that a Member of Parliament will have undertaken. My predecessor did a great deal of work in many areas. I know that he worked closely with his neighbouring Members of Parliament, such as my hon. Friend the Member for Pontefract and Castleford (Sir G. Lofthouse), on health-related issues. In particular, they were working on issues related to emphysema and other health problems suffered by coal miners in the area.

I know that my predecessor would be horrified, as I am, at the proposals to change the character of the health service in the locality. There appear to have been secret discussions at a higher level—in the Wakefield area, in Pontefract, in Quarry house in Leeds, and in London—about plans to change the character of the health service and eventually to remove some services from local hospitals. Those matters are extremely worrying to me—and I am sure that they would have been worrying to my predecessor. Later today, if I get the opportunity, I shall speak in the debate about the health services in the Wakefield metropolitan district. I shall make some firm points and express my views, in particular, about the poor quality of paediatric services in the area.

I shall do my best to emulate my predecessor's achievements, hard work and diligence—in every respect, bar one. That one thing relates to something that hon. Members will understand—that is, his ability to convert modern-day, idiomatic English in pop songs into the classical language of Latin. I am afraid that I could never aspire to—and I am not sure that I would want to—such an amazing and precocious talent. With those few reflections, I am sure that all hon. Members will remember very warmly my predecessor's contribution to this place.

Hon. Members will know that I was elected in a by-election, but they may not know that there have been 12 Members of Parliament for Hemsworth this century—which is a remarkably high number. It is tragic to note that seven of those hon. Members died while holding office. There have been six by-elections—so the people in the area have become rather familiar with them. In fact, after I had been selected as a Labour candidate, one of the old stagers came up to me and said, "Normally in the Labour party, we tend to look at a person's politics and what his ideological position is on various issues. However, because there have been so many tragic deaths of sitting Members in Hemsworth, we are concerned about whether you have a health certificate. We want you to represent us for a long time."

Traditionally, Hemsworth has been associated with the Labour party—indeed, since the foundation of the Labour party, it has represented Hemsworth. Hemsworth has been so safe that I am told that *The Guardian Weekly* in Manchester coined the phrase, "They don't count the votes out there, they weigh them," for the constituency. That has been said about many other constituencies, but we believe that it was coined in relation to Hemsworth.

I have looked back at the maiden speeches and the records of my 11 predecessors this century. I discovered that the seat has been so safe for the Labour party that on two occasions the Labour nominee arrived with his nomination papers—I am referring to George Griffiths and Horace Holmes—for the returning officer, only to be told that he had been elected because no other candidate was prepared to stand for the seat. That illustrates the fortress nature of the support that the Labour party has had in Hemsworth this century.

Bearing that history in mind, I happily went with my agent to the returning officer at Wakefield town hall, imagining that that exceptionally sensible precedent would be followed in my case—I imagined that the returning officer might be able to declare me elected as there were no other candidates and because of the nature of the opinion polls and the state of the Hemsworth constituency. One could imagine my chagrin to discover that there was not one but 10 candidates fighting for the seat. It was a daunting prospect for me to face.

However, apparently, it was not as daunting as the prospect facing the Conservative party candidate. After the count had finished, I noted that he had retained his

deposit and that he was going around in a very gleeful manner. When I asked him why he was so happy, he said that he was delighted because it was the first time in a parliamentary election that he had managed to get into second place. That was interesting; obviously he was more daunted than I had been.

Hemsworth has always been associated with the coal mining industry, which, as we know, has created wonderful communities throughout this country and elsewhere, with a powerful community spirit—the sense of caring and sharing and all the similar values that we associate with such communities.

From Featherstone in the north—my hon. Friend the Member for Pontefract and Castleford was born there, represented it for a time and played for the famous rugby league team—through Hemsworth down to South Kirkby and South Elmsall in the south, and from Upton across to Ackworth, Crofton and all the other communities, including Rye Hill and Fitzwilliam, which make up Hemsworth, the spirit of community and the strong community values that the miners contributed wherever they built up communities are evident.

The miners were interested in many things other than mining; sport was one of the great talents that emerged from those villages and small towns. Rugby league was played throughout the area. Frickley Athletic, in the south of the constituency, was supported by the miners with a subscription from Frickley pit for many years, and it is sad that that has now finished because of the closure of the mining industry in the area.

Mr. Geoffrey Boycott came from the constituency. We cannot help his politics—although we shall do our best, even now, to work on his repentance in relation to those matters—but he was a sturdy player for Yorkshire county cricket. I sometimes think that, if representatives of Yorkshire came down to Hemsworth and looked at the youngsters there, we might be able to rebuild our team for the future.

The mining industry was profoundly important in the formation of the communities that I now have the privilege to represent. The maiden speeches of my 11 predecessors read like a social and economic history of the area. Together, they form a remarkable document.

The first Member of Parliament for Hemsworth at the turn of the century was elected as a Liberal and came across to the Labour party as soon as it was founded, so we can claim that we had one of the first Labour Members of Parliament. He was a miner and described in his maiden speech the 400-odd pits that existed in the Yorkshire area—he had visited the coalfaces of almost all of them. Another Member of Parliament for the area described 12 separate working pits within walking distance of his house.

The experience of the constituency reflects the tragic history of the decline of an industry. My predecessor, Derek Enright, mentioned the last working pit. I now have to report in my maiden speech that no working pits are left in the Hemsworth area. That is a tragedy for the community. Although to an extent we understand that the industry has been in long-term secular decline, it is hard to forgive the motives of some people in high office who adopted a particular political position regarding the mining industry.

In the area profoundly strong communities remain, which were originally concentrated around the coal mines. Now that the coal mines no longer exist, their reason for coming into being has disappeared and there is a gradual process of economic and social decline.

I have with me a list of every benefits office in the country, showing the amount of family credit allocated to families in each office area and the number of families in each area who receive family credit. It is a very interesting document. We know that family credit is the Government's way of subsidising poor employers. When a household earns income below the mean poverty thresholds, the Government allocate family credit to the household.

In the two years for which those figures have been published—from 1993 to 1995—we have witnessed, throughout the country, a remarkably even increase of about 35 per cent. in the number of families receiving family credit in each benefit office. The figures for the Hemsworth benefit office, however, reveal a tragic position. We have there not a 35 per cent. increase, not even a 70 per cent. increase, but almost double that—in two years, there has been a 117 per cent. increase in the number of families receiving family credit.

That is tragic. It must be connected with the fact that the mines have closed and the redundancy money is gone. It reflects the way in which the labour market in the United Kingdom has been casualised. It reflects low pay in the area. It reflects the increase of agency work and unfortunate practices. It also reflects the need for us to change macro-economic policies. It shows the need for a minimum wage. Why should the state subsidise poor employers through this mechanism? It demonstrates as well, in my view and in the view of many hundreds of people I have met, the need for the social chapter, to ensure that workers' rights are adequately protected.

I represent an area which I have found to be wonderful, and which I am still finding out about. The communities that make up the constituency are lovely communities, which find themselves in a difficult position. I pledge myself to try to do my best to follow in the footsteps of all my predecessors and to work hard for the economic and social regeneration of the communities that make up Hemsworth. I thank the House for giving me such a good hearing.

10.16 am

Mr. David Amess (Basildon): It is an honour and a privilege to follow the hon. Member for Hemsworth (Mr. Trickett) on the occasion of his maiden speech. The last time I followed a maiden speech I followed three; it is easier dealing with one. The hon. Gentleman spoke fluently, without any sign of nerves. He showed great humour and, early on, great command of his subject. The hon. Gentleman's predecessor, Derek Enright, was a much-loved constituency Member of Parliament, whose views on several pro-life issues I shared. His untimely death is a great loss to the House.

The hon. Member for Hemsworth comes to the House with a reputation as leader of Leeds city council.

Mr. Jacques Arnold (Gravesham): Before my hon. Friend leaves the subject of the late and lamented former Member for Hemsworth, will he place on record the work that that hon. Member did for relations with Portugal as secretary of the British-Portuguese parliamentary group, of which I am chairman? He will be sadly missed for his knowledge of that country and the contribution that he made to parliamentary relations between this Parliament and the ancient Parliament of Portugal.

Mr. Amess: I thank my hon. Friend for prompting me. I have no expertise on that subject, but I am sure that that was a worthy tribute.

Finally, I would say to the hon. Member for Hemsworth that my wife supports the Leeds football team but that is as far as the affinity goes with his former council. I share his admiration for Geoffrey Boycott, an outstanding cricketer whose politics I much applaud. We look forward to hearing from the hon. Gentleman in the months ahead.

That is the end of the bipartisan approach. I wish to draw three matters to the attention of the House before we adjourn for the Easter recess. I may best describe them as analysing what the Labour and Liberal parties do once they are given power. The first matter concerns the behaviour of Liberal and Labour-controlled Essex county council, the second concerns the behaviour of Labour and Liberal-controlled Havering council and the third concerns the purported policy of the Liberal party on religious education in schools.

My colleagues on this side of the House are fully prepared to accept responsibility for the actions of Her Majesty's Government. However, we are a little tired for being blamed for everything when the socialists control Europe. In my part of Essex, we are looking very closely at how the local Labour Member of the European Parliament has performed since his election: he is very good at being photographed, but he has not delivered on any of his election promises. The Labour and the Liberal parties, and not the Conservatives, control Essex county council. We are in crisis in Essex because of that council's wicked budget decisions.

Dr. Spink: I wish to draw together the two points that my hon. Friend has made regarding the Member of the European Parliament and the Essex county council. The Member of the European Parliament denounced in my local press the cut in expenditure on the flood warning system on Canvey island in my constituency. I was surprised that he found his way to Canvey island sea wall, as I do not think that he had been there before. He seemed to be entirely unaware that the Labour councillors on Essex county council—which was given a 3.5 per cent. increase in expenditure this year—cut that vital system. How about that for inconsistency?

Mr. Amess: Never mind about not having visited Canvey island I understand that the Member of the European Parliament had not been to Europe before his election. There is no point in running for office unless one can achieve something. What is the point in candidates for county or district councils and for the European Parliament running for office if, when elected, they simply blame the Government? Upon election, such representatives should accept some responsibility.

Essex county council's budget proposal is a disgrace. It is sitting on huge reserves, but it has cut the fire service budget by more than £1 million. As a result, there will be no new recruitment this year and no training provided for fire officers. However, in the literature being pushed through letter boxes during the local election campaign, one councillor claims that he has saved one of the local fire stations. That is absolute hypocrisy. The council has also cut the budget for libraries by £1 million and, as a result, no new books will be bought this year.

I thought that new Labour was supposed to be caring—that is what the Liberal party is supposed to be about also. However, that is not the case with Essex county council. Care in the community is a shambles: its delivery is so poor that there is an inquiry into the matter.

My hon. Friend the Member for Chelmsford (Mr. Burns) recently led a delegation to the Home Office in order to discuss the fire service. It appears that Essex county council, in spite of the fact that it is sitting on huge reserves, did not apply for funding under section 19 before pushing through a budget that will cut expenditure on the fire service. That is the fault not of the Government, but of the Labour and Liberal-controlled Essex county council. If those councillors do not want to accept responsibility for their actions, they should resign and the Conservatives will take control.

My second point concerns Havering council. I have given notice to my hon. Friends the Members for Romford (Sir M. Neubert), for Hornchurch (Mr. Squire) and for Upminster (Sir N. Bonsor) about my intention to raise the issue. I am meddling, if you like, in Havering council matters because it wickedly interfered in the education of my children. I have five children, all of whom attend a state school in my constituency of Basildon. I never speak publicly about my religious views—that is a personal matter—but, privately, my wife and I, as Catholics, believe in single-sex education.

There are no single-sex Catholic schools in my constituency, so we applied to send our son to the nearest single-sex school, which is located in Havering. The wickedness that resulted from our application defies belief. However, the chickens have come home to roost for the Labour and Liberal councillors concerned.

I was in America on the evening that the school's governing body met to discuss my son's application. It decided to accept that application on the strength of our belief in the Catholic religion. The school is non-grant-maintained and non-selective. My wife and I did not know that our son had been offered a place at the school until we read it in our local newspapers. A Labour councillor, Miss or Mrs. Feeney—

Mr. Jacques Arnold: Ms.

Mr. Amess: That night, Ms Feeney went to the town hall to consult a former Member of Parliament, Arthur Latham, and the chief executive, who used to be the Labour leader of Basildon council. They decided to get to work on the issue. When I returned from America, I found my wife and children extremely upset. As a result of those wicked actions, party invitations had been withdrawn from small children who did not understand the reason why. You can imagine, Madam Deputy Speaker, my disgust when I learned what Labour Members have been up to. They say that what they do as individuals does not affect the party: that is a load of rubbish and their hypocrisy should be aired publicly.

Sir Michael Neubert (Romford): Was the Ms Feeney to whom my hon. Friend referred the same woman who came originally from Dagenham and somehow qualified for a council property in Havering, which she then bought? She was then elected to the council and became a close confidant and ally of Arthur "Lothario" Latham, and apparently she is now purchasing a house across the border in Essex. Should we not be told more of that intriguing story?

Mr. Amess: My hon. Friend will be aware that, when the story broke, the newspapers carried the headline, "Basildon schools not good enough for local Member of Parliament". My office was immediately inundated by telephone calls making allegations of the sort that my hon. Friend the Member for Romford has described to the House. I have never abused my parliamentary privilege, and I kept to myself all the accusations that were made to my office.

The Labour councillor in Basildon who has been instrumental in spreading the story is currently in prison awaiting trial for a serious crime. I understand that his partner, who was also a councillor for one year, disappeared suddenly. The councillor resigned from Basildon council last week, but I cannot say any more about the matter as the trial is pending. However, I can comment about Havering council.

If one were to read the weekend newspapers carefully, one would see the corruption within that council and the nonsense that has gone on. I am glad to see that the hon. Member for Liverpool, Mossley Hill (Mr. Alton) is in his place. He is an old boy of Campion school, which I attended also. The leader of the Liberal group on the council accused the hon. Gentleman of interfering in the allocation of my son's school place. We have now discovered that the relationship between the leaders of the Labour and the Liberal groups—who are power-sharing—goes way beyond any original understanding.

I have many letters about the matter which illustrate a catalogue of abuse. Labour councillors have rebelled. I have in my hand a letter signed by four Labour councillors which states:

"Dear Comrades, It is with deep regret that we have resigned from membership of the Labour group. In spite of the 'anti socialist' nonsense you may be hearing you should be in no doubt that we will continue to support the administration in the implementation of the 1994 Labour Party manifesto. The causes of our resignations are complex and cumulative."

If we go further into the reasons, they are appalling. The letter continues:

"A couple of weeks ago all members of the Council, Labour and Conservative alike, received a letter announcing Arthur's full return to health and his willingness to take on all of his enemies 'within and without'. We don't know if this has frightened the Tories but it frightens us."

The letter goes on and on.

I am delighted that the Lib-Lab power-sharing arrangement in Havering has collapsed. The chickens have well and truly come home to roost. I hope that the same happens to Essex county council.

I shall end my speech by mentioning the report in the newspaper about the Liberal party policy on religious education. I just could not believe it when I read in the newspaper last week—I have given notice to the hon. Member for Bath (Mr. Foster) that I would mention his name—that the spokesman for education policy in the Liberal party had said that in an ideal world there would be no religious education in our schools.

Mr. Tony Banks (Newham, North–West): Hear, hear.

Mr. Amess: Some hon. Members say, "Hear, hear," so there is some support for that view. But I found it deeply offensive and I believe that many of our fellow citizens found that statement deeply offensive.

If I were asked what is wrong with society at the moment, I would say that it was the deep arrogance that humanity is everything and that there is no powerful force that we should consider. I am not bothered what religion anyone is. Christianity is what I care about and I wish to see all our churches supported. I certainly want to see religious instruction given in our schools.

Madam Deputy Speaker (Dame Janet Fookes): Order. Before the debate continues, I have noticed what one might call a running commentary from hon. Members on the Opposition Benches. I taken due note of those who have, so to speak, informally spoken already.

Mr. Amess: The source of the running commentary is surprising. I hate to harm the hon. Member for Newham, North–West (Mr. Banks), but he promised me recently that he would be nice to me. He has broken his promise before Lent has duly finished.

Mr. David Rendel (Newbury): I have had an opportunity to speak to my hon. Friend the Member for Bath (Mr. Foster), who is our education spokesman, since that report appeared in the paper, because I was myself concerned about it. It is true that everybody in the Liberal Democrat party believes that religious education should continue in schools, and it is clear from my discussion with my hon. Friend that he did not say that in an ideal situation there should be no religious education. Indeed, he believes that religious education is an important part of the education of all our children.

Mr. Amess: I entirely accept that.

Mr. Alton: For the sake of the record, it is right for me to point out precisely what was said. It was reported in *The Independent* newspaper some weeks ago. My hon. Friend the Member for Bath (Mr. Foster) said that, in an ideal world there would be no more religious schools, which theoretically would close all Anglican, Catholic, Jewish and nonconformist schools. He also said that daily acts of worship would be ended in that ideal world. I share the view of the hon. Member for Basildon (Mr. Amess) that that would be a deplorable development if that so-called ideal world, which I would regard as a nightmare world, were ever to occur.

Mr. Amess: This has been an interesting opportunity to explore what the policy is on religious education. I support religious education in all our schools. As this is the Easter Adjournment debate and no doubt the whole of United Kingdom will be rejoicing and eating their Easter eggs, I would have thought that religious education was especially important at this time.

10.34 am

Mr. Andrew F. Bennett (Denton and Reddish): I do not want to follow the hon. Member for Basildon (Mr. Amess) very far, but I do join him in offering congratulations to my hon. Friend the Member for Hemsworth (Mr. Trickett). His maiden speech was refreshing and we all enjoyed it. It showed good humour and it had all the ingredients. First, he paid a warm tribute—with which I know the whole House will agree—to his predecessor, Derek Enright. Secondly, he gave us an interesting reminder of the changes in his constituency and, finally—and crucially for a maiden speech—he made an important political point about the poverty wages that are paid in his area. I am sure that the whole House will look forward to him speaking many more times and giving us the same enjoyment.

[Mr. Andrew F. Bennett]

I wish to raise two issues, which can both be summed up with initials—VOCs and SK5. The first is a national issue—I have given notice to the Leader of the House that I will raise it—and the other is a local constituency issue. The question of VOCs, or volatile organic compounds, is extremely important to all of us. Very few people understand VOCs, yet they affect all of us and the air we breathe. They are important not just when we are out in the street, but in the workplace and in homes. VOCs can be highly toxic and some of them are known to cause cancers. They are part of very complicated photochemical reactions which produce a photochemical smog that can aggravate conditions such as asthma and also cause headaches and nausea in some people.

The Environment Select Committee, of which I am the Chairman, produced a report 12 months ago. I wish to find out today what progress the Government are making in controlling air quality, because that is extremely important. As long ago as 1988, we signed up to the United Nations environment programme convention on long-range, trans-boundary air pollution. Under that convention, we were supposed to produce a 30 per cent. reduction in emissions by 1999, compared with 1988. It is important that the Government tell us exactly what they intend to do about meeting those targets.

In their response to the Environment Select Committee, the Government suggested that they would make good progress. We certainly got the impression that in several areas they would try to reach that 30 per cent. reduction target before the actual treaty requirement occurred. But the need for a reduction is here, now. Last summer, we had a series of incidents in which air quality was extremely bad in our cities. It is no good delaying reaching the target until the last minute. We should aim to reach it quickly.

The Government have done a little bit to produce a tax differential on premium unleaded petrol, but they could do much more. They are not doing enough about the emissions from industrial processes. I hope that the Minister will give us an update on how far and how soon the Government will achieve those targets.

I suggest that installing the proper equipment in industrial premises to recover VOCs, which would otherwise escape to the air, is not just good for our health but good for our industry. On several occasions recently, the Secretary of State for the Environment has talked about opportunities for environmental protection industries. It has been pointed out that others, especially the Germans, have scooped up the environmental industrial market because they have been at the forefront of attempts to achieve targets for environmental improvements. As a result, their industries develop the skills and take the opportunities to produce the equipment. If we are not careful in Britain, we will fall behind.

I want to put pressure on the Government for a clear update on meeting target emissions of volatile organic compounds in the short term, to ensure that we do not suffer too many bad-quality air episodes this summer—and in the long term, to meet agreed requirements.

When will the Government's air strategy policy be published? That was due to be appear last year, but I understand that it will be June at the earliest before it is produced. We await also the Government's response to the royal commission on transport, and particularly to its recommendation to reduce the number of cars on our roads and emissions, if VOCs are to be significantly reduced. Also, what is the position on VOC emissions in buildings?

My second subject concerns the way that postcodes affect my constituents. The Government may argue that postcodes are a matter for the Post Office, not Parliament—but I suggest that they have wide implications. I am particularly concerned about a new housing estate, Fairways, in north Reddish, but the problem also exists on the Droylesden-Audenshaw border and between those parts of my constituency that are in Denton and Reddish.

The Post Office claims that postcodes exist only to facilitate postal deliveries. If that were so, I would not mind. I have sympathised in the past when the Post Office complained that insurance companies and others have misused postcodes, in determining premiums. The situation is changing rapidly, because the Post Office is busily selling postcodes to all sorts of people.

The Post Office claims that it is selling postcodes so that companies can get delivery addresses right, but the Post Office knows that many purchasers of postcodes use them for other purposes. Under the Data Protection Act 1988, one has the right to correct a computerised entry with which one disagrees. Provided that the Post Offices uses its record of an address for the sole purpose of postal deliveries, it does not have to do anything—but as soon as the Post Office sells that information for any other purpose, an individual should have the right to record that he disagrees with that information.

The problem is particularly acute when an address is used by not just the Post Office but others, which can be particularly well demonstrated in north Reddish, where residents may live in Stockport but have a Manchester M19 postcode. In addition, the Post Office is insisting that their address should include the words, "Levershulme, Manchester". Those residents do not live in Levershulme, Manchester, but that requirement affects their insurance premiums. Also, anyone driving from Stockport to a house in Levershulme will come to the Manchester boundary, then start looking for the street name in question.

If the Post Office continues to insist on a Manchester postcode, it should at least accept that residents of the Fairways estate, for example, are entitled to show their address as "North Reddish, Stockport, Manchester M19"—and the rest of the postcode. As long as the Post Office denies those residents the right to identify their addresses as being in Reddish or Stockport, the Post Office is insisting on the use of a misleading address, causing confusion for people trying to find houses or provide services.

The Post Office is causing unnecessary hardship to such residents by selling their postcodes to all sorts of organisations, which then insist that they know the correct address and that the individual resident does not know where he or she lives.

I have pursued that issue with the firm of conveyancing solicitors that dealt with the Fairways estates, because some buyers were misled into thinking that the properties were in Stockport—they are, but they do not have a Stockport postcode. I have taken the matter up also with the Association of British Insurers. I want the Minister to pursue the problem with the Post Office, so that, if it

wants to sell postcodes for any purpose, the residents of Fairways estate should have the right to correct their address. I hope that he will go further and tell the Post Office that instead of that complicated solution, the residents in question should be allocated an SK5 postcode, which will show that they live in Reddish or Stockport. That would avoid the nonsense of them being identified for postal purposes as living in Manchester or Levershulme.

10.45 am

Dr. Robert Spink (Castle Point): It is a pleasure to speak soon after the maiden speech of the hon. Member for Hemsworth (Mr. Trickett). I spent election day in Hemsworth and noted a range of quality among the parliamentary candidates. Right at the top, along with the hon. Gentleman who won the election, was the Conservative candidate. He is a good, sound, local man and he did a wonderful job. I am sure that we will see him enter the House eventually. At the bottom of the range was Mr. Mark Thomas—a mischievous, misleading, nasty little person.

Beneath him, if hon. Members can believe that, was the candidate for Arthur Scargill's party. That candidate misled the country into believing that there is such a thing as old Labour and new Labour, but that is not so. There is just the Labour party. In his Adjournment debate two weeks ago, my hon. Friend the Member for Welwyn Hatfield (Mr. Evans) spoke of the poor lady who lay dying of cancer on the pavement outside Kingston general hospital in 1978 because of the Labour party. My hon. Friend explained that there is no such thing as old Labour or new Labour, but just Labour. That is what you get—and I am sure that the country will reject it. However, I do not want to be partisan this morning.

I want to raise not a political problem but the issue of unfair business rates imposed on riding schools and equestrian centres. Real despair has arisen because massive rates increases have caused the closure of many livery yards, schools and equestrian centres throughout Britain, as a consequence of last year's revaluation following the rates set in 1990. That revaluation hit the equestrian industry particularly hard.

One riding school in East Anglia closed following an increase in rates from £780 a year to £9,780 a year. The owner had to knock down his stables to ensure that his rates were reduced. There are similar examples in Castle Point of extortionate and entirely unreasonable increased rates for small equestrian centres. There are simple, do-it-yourself livery yards in my area where the monthly rates bill has increased to an amount higher than the yards' audited profit before rates. That situation is not tenable.

The reason for high rateable values is that all stables in Essex at least are rated on the same basis, even though there are many different types. There are racing stables, dressage stables, equestrian centres, competition yards and full livery yards. At the bottom of the scale are the yards that are the particular subject of my remarks—do-it-yourself yards, which are suffering the most.

These stables are perhaps best described as small cottage industries; they are part of the rural fabric of Britain and its traditions, yet they are expected to pay rates as high as those levied on professional Newmarket training stables, according to the valuation officer in my area. So these DIY yards have been put under intolerable pressure by unreasonable rateable values.

Assessing rateable values is the responsibility of the Valuation Office agency. It is therefore not right that Ministers should interfere directly, but I believe that we need some political steer on this important issue. It is such an obvious injustice, and if we cannot fight for right and against wrong in this place, where can we do so?

As Henry Smith, the owner of a small livery yard in Benfleet pointed out in a letter to *Horse and Hound*, the closure of livery yards will result in a loss of Government revenue, a loss of jobs, and derelict premises or premises which have to be knocked down. I am talking about the loss of facilities that support this quintessentially British traditional activity. Riding is not an elitist sport; it is something that disabled people and young people, especially girls, enjoy very much. Everyone will lose unless some help is offered—most of all, the people trying to scrape together a living from DIY livery yards.

I must acknowledge the steps taken by the Government to help small businesses, among which livery yards may be counted. The Government have introduced a transitional system of phasing to reduce the impact of the 1995 revaluation. The caps on rating increases are more generous for small properties: 5 per cent. in real terms in 1996-97 and only 2.5 per cent. for small domestic or non-domestic properties. Nearly 800,000 small businesses in England and Wales benefit from these lower bills which have resulted from action taken by the Government, but the Government must take further action to protect small DIY livery yards.

My hon. Friend the Member for North–West Norfolk (Mr. Bellingham) has suggested that it may be possible to find a way of helping these yards under the terms of the White Paper on rural England which was published last year. I do not know whether that is possible, but I hope it is. I take succour from the fact that I am supported in my concern by no less distinguished people than the Secretaries of State for Defence, for Education and Employment and for Foreign and Commonwealth Affairs, all of whom have written to various bodies on this subject. A number of other hon. Members share our anxiety too.

I hope that the Government will listen carefully to what I say this morning and will take action to resolve what is for many people a desperate problem.

10.52 am

Mr. David Rendel (Newbury): I am pleased to have the opportunity this morning to congratulate the hon. Member for Hemsworth (Mr. Trickett) on his maiden speech. He seemed to be worried about the number of candidates in his by-election. If he thinks that 10 is a worrying number, it is probably a good thing that he did not take part in the Newbury by-election, where we had a record number of 19 candidates. Had he paid attention to that, however, he would have realised that it is not actually very worrying, since in that by-election only two candidates got more than 2 per cent. of the vote—the Labour party candidate being one of those who failed to reach the 2 per cent. mark.

I am sorry to say that I cannot congratulate the hon. Member for Basildon (Mr. Amess) on his speech, as it became clear in the course of it that he did not understand the important difference between worship in schools, which is one thing, and religious education in schools, which is quite another.

I am grateful for this opportunity to raise, as the hon. Member for Castle Point (Dr. Spink) did, a subject which I do not think has any party political significance but which

[Mr. David Rendel]

is still of importance to all hon. Members and to our electorates. I refer to the pyramid selling of business club membership, an issue which has come to my attention over the past week or two as a result of a letter that I have received. It is right to raise the subject before we adjourn for Easter, because of the recent Third Reading of the Trading Schemes Bill which was introduced by the right hon. Member for Chelsea (Sir N. Scott). That Bill has now gone to the Lords. I hope that the Government will ensure that it reaches the statute book and that it is put to good use as soon as possible.

On Third Reading of that Bill last Friday, the hon. Member for Edinburgh, South (Mr. Griffiths) briefly mentioned a business known to him as Titan Marketing, which he said had been operating in some areas of the north. It has also been operating in my constituency, and I am glad to be in a position to give the House further details of this secretive company and to draw it to the attention of the wider public so that people may be warned of the dangers of getting involved in the company.

The letter that I received from a constituent reads in part as follows:

"Sirs

Please excuse the fact that this is an anonymous letter, but the reasons for this will become apparent.

Last Sunday I went with a friend to see a business opportunity that he was very excited about. He told me that he had been involved for about two to three weeks but could not give me any details because of a secrecy agreement. He told that there were very large sums of cash changing hands every week and that if I wanted to find out about this I had to go to"—

here he named a school in the constituency—

"on any Saturday or Sunday. My curiosity was really aroused and I agreed to go last Sunday despite the £20 fee whether I joined or not.

The organisation is called the TITAN business club and is based in Hamburg, Germany. They have been operating in this country since October 29th of last year. The meeting starts at about 4 pm and lasts till about 8 pm. It consists of three presentations . . . The meeting is not open to the public and you can only go if you are invited by one of the existing members. At the start we were obliged to sign a secrecy agreement saying that we would not disclose anything about the organisation and agreed to pay 10,000 deutschmarks if we did (this is one of the reasons why I have chosen to remain anonymous). The meeting itself is conducted in a rather unusual style with much clapping, standing ovations and ritual chanting.

It was not until the final presentation that they finally told us what they were about. They ask you to pay £2,500 to join the 'private members club' as they insisted on calling it. You are then required to recruit others to do the same. For the first two recruits you are paid £450 and are called a Junior partner. For each subsequent recruit you are paid £1,220 and are called a Senior partner. After your fourth recruit you are in profit. You can only introduce a maximum of two members at any one time and only by bringing them to one of the weekend meetings . . . It is expressly forbidden to try to publicise the club. The payouts are in cash every Wednesday evening.

One of the unusual features of the club is that all transactions are in cash. They claim that they have no UK bank accounts and that all club records are kept in Germany. There are no information leaflets and they do not want people to take away the membership form from the meeting. I spoke to two club officials, Rob Glas who is the UK regional manager and Alan Simpson who is the regional marketing manager. At first they were both very courteous and polite, but when it became obvious that I was not going to join they declined to discuss things further with me and insisted that I returned the membership form. They both refused to give me any contact phone numbers in this country and told me if I had any further comments I should contact their office in Germany."

I hope that it has become plain from what I have read what an iniquitous scam this company is running and how dangerous it would be to get involved in it.

The letter ends with a few choice comments about how iniquitous the writer feels the scheme to be, and I quite agree with him. Anyone who has any sense will avoid like the plague joining a so-called "business club" of that sort.

I hope that hon. Members will take the opportunity to alert their constituents to the Titan business club and that Ministers will find ways in which to expose the perpetrators of that scam in the sure knowledge that exposure to the public will ensure that such a scam withers away. There is nothing like the cover of secrecy to allow such a business to thrive.

I am sure that we all agree that it is important for the Titan business club to disappear as quickly as possible. But I must warn hon. Members that, while it has apparently left my constituency—it is very keen to get out while the going is good and to take the subscriptions of the original participants with it—the club has already moved into other constituencies in the south. People should be warned, before it is too late, to take no part in it.

11.11 am

Mr. Jacques Arnold (Gravesham): I do not believe that the House should rise before it has addressed the important problem of the shambles in which the Kent highways programme now finds itself. The Government announced £81 million of funding for the Kent highways programme, which was by far the largest amount to be granted to a roads programme in the country, yet the Labour and Liberal Democrat coalition controlling Kent county council have that programme totally out of balance.

The reason for the shambles is that, year after year, the council has asked permission to build the Medway relief roads but, year after year, after receiving such permission, it has not gone ahead because it has never been ready to do so. The council has taken the allocated money in those years and put it into other schemes, which have now started. Consequently, the Kent county council highways programme is choked with commitments.

We should remember that the £81 million for this year's highway programme is an absolute record, but that commitments already undertaken by the council have absorbed all but £7 million of that figure. The council has already approved five schemes, amounting to £43 million, which it must somehow accommodate within the £7 million. Recently, the council decided to spread the money among three of the schemes.

What worries me is that the council is now trying a sleight-of-hand by spending money this year that may or may not be allocated to it in future years. It has put together a proposal to borrow £20 million to £25 million from Rochester city council, English Partnerships and any other company that is foolish enough to lend to it so that it can proceed with the Medway relief roads. That proposal would choke the Kent highways programme even further.

The council now proposes to ask the Minister with responsibility for local transport and road safety—my hon. Friend the Member for Epping Forest (Mr. Norris)—to agree to that ludicrous proposal. I suggest, in the interests of that area and of sound finances, that the ministerial answer should be a categorical no, not least because we do not need the Wainscott bypass.

The hon. Member for Nottingham, North (Mr. Allen), the Opposition spokesman on roads, recently visited the area. He told the press that the Medway tunnel was a "white elephant", and he blamed the Government because he claimed that they had not funded the connecting roads. Quite frankly, that statement shows appalling ignorance. As I have already explained, the Government have given authorisation for it year after year. The trouble is that Kent county council has spent the money elsewhere.

The roads have been delayed because of incompetence, subterfuge and a failure properly to assess alternative routes—for example, the historic Strood gyratory, which was the original proposal, or the Medway riverside route from Rochester to the junction with the M2, where it crosses the River Medway. The latter route, incidentally, has the virtue of demolishing the city of Rochester civic centre, which could be moved to a magnificent building on the Chatham maritime to serve the Medway towns' new unitary authority.

Not only did the Opposition spokesman on roads express his ignorance in those statements but his approach would sanction the county council's riding roughshod over my constituents by curtailing public consultations and public inquiry before pressing ahead with the proposal.

My constituents in the parishes of Higham, Shorne and Cobham bitterly resent the way in which Kent county council has ridden roughshod over their opinions, because the Wainscott bypass would pass through some of the most beautiful green belt in the London area. That land is very agriculturally productive and is, in fact, the last piece of green belt between the greater London conurbation and the Medway towns. The plan for the bypass should be returned to the drawing board, even at this late stage, so that alternatives can be considered. The case for doing so has been made very clearly on financial and environmental grounds.

If the council were to go ahead with the proposals, the Kent highways programme in 1997-98 would be totally clogged. The council would be spending £30 million to £40 million on the Medway relief roads alone, and it would spend even more on previous commitments. The result of pressing ahead would be that no progress will be made on the Ramsgate harbour road or on the south Thamesside development route, phases 2 and 3, which consists of the roads from Ebbsfleet to Greenhithe in the constituency of my hon. Friend the Member for Dartford (Mr. Dunn).

Failure to proceed with those phases would jeopardise the development of the Thames gateway, which is close to the heart of the Government, and the Ebbsfleet developments, which are close to my constituents' hearts. All in all, the Kent county council highways programme is a sheer and utter shambles.

The development of the Thames gateway has not been helped by the delay in the vital south Thamesside development route, phase 4, which is effectively the Northfleet town bypass. Imagine having the channel tunnel rail link Thames tunnel excavations on one side of a town and the massive construction of the Ebbsfleet international station on the other side—with the monumental numbers of heavy goods vehicles and earth-moving vehicles passing between the two—when the only route between the two sides is through one's town. That horrible prospect is why the south Thamesside development route, phase 4, must be built before either of those projects is started. They are due to be started imminently.

We are desperate for progress on this project because of the shambolic way in which the Kent county council highways department has been handling it. In February last year, the residents of Northfleet saw the plans for the road. More than a year later, what progress has the Lib-Lab council made on it? It has taken a whole year for the KCC highways department to ask the council planning department for planning permission to build the bypass, and that permission has still not been granted. In fact, it has taken the Conservative Government to nudge the council forward by granting for this financial year a specifically allocated credit approval in order to push the project through along with another one. I can tell the House that my constituents and I will push Kent county council to get that project through because it is vital.

It is ironic that, while Kent county council's highways programme is in a shambles, the financial spokesmen for the Labour and Liberal parties on that council are now talking about a mini-budget for 1996-97, to be announced in June. Do you remember, Madam Deputy Speaker, the last Labour Government of all those years ago, when the then Chancellor of the Exchequer, Denis Healey, came to the House with a succession of mini-budgets every year? We are asked by the Opposition to look forward to the prospect of a Labour Government; well, if one wants to see Labour government in action, one should go along to Kent county council, where mini-budgets and shambles are the order of the day.

Dr. Spink: Can my hon. Friend remind me whether that was the Labour Government who had inflation running at 27 per cent., about 10 times the current rate?

Mr. Arnold: My hon. Friend is absolutely right to remind us about what it means to have Labour in office.

We are told that there may be a Labour Government after the next general election. I will leave it to the electorate to decide, but I have my doubts, because if the electorate want any ideas about a Labour Government, they should just look at the antics of the Leader of the Opposition in the past week alone.

Just last Wednesday, I read in that excellent daily newspaper, *Kent Today*, a snippet entitled "Blair set to meet the shoppers". It informed its readers:

> "Labour Leader Tony Blair will meet shoppers in Gravesend when he comes to town on Friday.
>
> The MP is planning a walkabout in the St. George's and Anglesea centres during his visit".

I was rather surprised to read that, because I thought that it was parliamentary courtesy to inform a colleague if one intended to visit his or her constituency. That lack of courtesy is nothing new, however, because the Leader of the Opposition visited my constituency about a year ago and did not advise me in advance. On that occasion, I received an apology from a deputy spin doctor in the right hon. Gentleman's office, who referred to that omission as an "oversight". Well, well, well.

I wrote to the Leader of the Opposition immediately I got the wonderful news that he was showing some interest in Gravesham. I told him that, had he advised me in advance, I could have organised a visit for him. I wrote:

[Mr. Arnold]

"For instance, we might have visited the Enterprise Parks at Springhead and on the Imperial Business Estate where thousands of jobs have been created in recent years under the Enterprise Zone legislation of the Conservative Government (legislation against which the Labour Party voted). We could have visited our highly successful grammar schools and grant maintained schools, all of which are under threat from the Labour Party. Indeed, slightly more time permitting, we could have visited the site of the future Darenth Park Hospital where a brand new General Hospital costing £100 million is to be built, financed by the Private Finance Initiative, or alternatively visited the many farms in Gravesham. Both the hospital and the livelihood of many farm workers have been put at risk recently by the irresponsible scaremongering in the House of Commons by Harriet Harman."

Madam Deputy Speaker: Order. I remind the hon. Gentleman of the convention that the names of Members are not mentioned. I know that in the first instance the name was given in a quotation, but the hon. Gentleman should be a little more careful.

Mr. Arnold: I was quoting from a letter; I am fully aware of the conventions of the House.

More important than those invitations, I challenged the Leader of the Opposition to a debate in the very shopping centre that he proposed to visit. I believe that it is far more important for shoppers to be informed of the answers to real questions rather than just given a photo-opportunity handshake.

In the event, the Leader of the Opposition was half an hour late. He did shake hands, but only with the Labour grandees of the local council. He rushed through one of the shopping centres in less than 10 minutes, looking somewhat harassed.

It is a great pity that the right hon. Gentleman did not accept my challenge, because such a debate would have been most interesting. Just yesterday in the Chamber, the Leader of the Opposition had great fun during Prime Minister's questions by proposing a debate on television with the Prime Minister. Why did he not respond to my invitation to a debate in the shopping centre at Gravesend? Indeed, I have still not had a reply to my letter, six days later.

I would have called on the Leader of the Opposition to answer a burning question for the people of Gravesend: quite simply, would he support the PFI for Darenth Park hospital, a major £100 million hospital project? I would have asked the right hon. Gentleman to tell me whether he supported the PFI scheme for that hospital—yes or no. If he had answered yes, he would then have had to give the Opposition health spokesman, the hon. Member for Peckham (Ms Harman), some pretty firm instructions, because she has tried to undermine that project.

In the House recently, the hon. Lady mentioned the existence of a PFI priority list, which she claimed had been leaked from the Treasury, and which categorised projects into an A and B list. She had great fun jeering at me and my hon. Friend the Member for Dartford when she said that Darenth Park hospital was on the B list, and that therefore it was hardly likely to be developed. I have news for the hon. Lady: that project has attracted four major consortia, which have put in bids. Those applications are so good that two have been selected and invited to tender, and one of those tenders will be accepted. In other words, if the project is on the B list, as the hon. Lady claimed, it is certainly a golden list.

The hon. Lady has made other attacks on the concept of using the PFI for hospital construction. On 13 January she told a health conference at Birmingham:

"I don't call it a Private Finance Initiative, I call it a privatisation initiative."

The hostility behind that quotation is clear. If that was not enough to undermine the confidence of bidders to build our hospital under the PFI, she told the House:

"Any banker would be unwise to enter into a contract valued at hundreds of millions of pounds with a public sector partner that can be abolished by the Secretary of State".—[*Official Report*, 12 March 1996; Vol. 273, c. 825.]

That hardly instils confidence in the companies that are bidding, but then they are far more intelligent than the hon. Lady, and they have maintained their bids.

I would have liked to ask the Leader of the Opposition whether he supports the use of the PFI for Darenth Park hospital. If he were to answer yes, the hon. Member for Peckham should stop undermining our hospital. If he were to answer no, the people of Gravesham and Dartford deserve nothing less than a beautifully framed signed letter from the Opposition Treasury spokesman, the hon. Member for Dunfermline, East (Mr. Brown), giving his firm commitment to invest £100 million of Government funds in year one to build that hospital. We would expect nothing less and we would expect a yes or no in support of our hospital.

I can assure the House that the Dartford and Gravesham national health service trust, local people and the local Members of Parliament back the project and are pressing ahead because we want our new district general hospital. It is the best prospect that we have had for many a long year, and it will be delivered under a Conservative Government through the PFI. The construction of that hospital would have a spin-off and release the Gravesend and North Kent hospital for the creation of the community hospital, to which my constituents have looked forward for a long time. That hospital site would be transferred to the Thameslink Healthcare Services NHS trust, which is already working on an £8 million PFI project to bring that about.

What I have tried to make clear this morning is that Conservative policies are working in north-west Kent. They are working despite the sabotage, incompetence and hostility of Labour—in office on Kent county council; and in opposition in the House, where I hope and expect Labour to remain for a very long time.

11.19 am

Mr. Edward O'Hara (Knowsley, South): I was minded to comment on the unfortunate speech of the hon. Member who, for the time being, represents Basildon, but I am happy now to regard that as a distant memory. I am, however, delighted to see that my hon. Friend the Member for Hemsworth (Mr. Trickett) is resuming his seat alongside me because I now have the opportunity to congratulate him personally on an excellent, elegant and well-judged maiden speech with which I associate myself in general terms and in the particular—his gracious remarks about his predecessor.

I have my own fond memories of my hon. Friend's predecessor's charm, humour, bonhomie and presence and I have my particular reasons for remembering him with much fondness and regret. We were the two classicists on the Labour Benches. It is a little known fact that we

shared a secret—as young teachers we both translated the songs of the Beatles into Latin in separate songbooks. Mine ranged from "Amat te mehercle", which non-latinists might just about recognise as "She loves you, yeah yeah yeah" and "Veni domum Bill Bailey", which needs no translation.

I did not know of my late hon. Friend's service to relations with Portugal, but I knew from close quarters the excellent work that he did for relations with Greece and Cyprus, and it is to a matter of great importance to the people of Cyprus that I wish draw the House's attention today—the people who are still listed as missing since the invasions of 1974. We know the statistics. There are 1,619 names on the list and, if the House will allow me, I shall give a few personal details about several of them because they are not just statistics but individuals.

The following is the evidence of one Lambis Elia from the village of Hartsia:

"On 13.9.1974",

after the invasions,

"the Turks arrested my two sons, Michael aged 17, and Elia aged 19, and took them to their camp near our village. On the same day I met the Turkish Cypriot, Nazim Ahmet, aged 60, who is a friend of mine"—

that also should be noted—

"and I asked him to take me to the Turkish Army Officer. He did take me and the following day on the 14.9.1974, the Turkish Officer allowed me to see my sons for ten minutes. The next day . . . the Officer allowed me to see them again and this time I was with my wife. We saw them for some time in the Turkish camp where they were being held.

On 16.9.74 around two o'clock in the afternoon a party of the International Red Cross came to our village. I told them about the arrest of my sons and I led them to the area of the Turkish camp. Unfortunately, however, the Turkish Army Officer denied that he was holding any prisoners and did not allow the Red Cross to carry out an investigation.

Since then, nothing has become known about the fate of my two sons".

Andreas Nicodemos, of the village of Trimithi in the occupied Kyrenia district, was a reservist during the invasion. He was taken prisoner and transferred, with others, to Adana prison in Turkey. On 20 or 21 August 1974, he was taken out into the yard, where he heard someone call his name. The person who called him was someone he knew—his co-villager Kyriakos Frixou—who is now missing. They shook hands and spoke but, since then, nothing has been heard of him.

I have here a famous photograph that was developed from film taken by a Turkish journalist who was covering the invasion and was wounded and captured by the Greek national guard. The picture shows some Greek Cypriot prisoners kneeling under armed guard. Five have been identified. I shall read out their names because they are individuals. They are Korellis Antonakis tou Michaeli from Kythrea, Nicolaou Paniccos tou Chrysostomou from Achna, Skordis Christoforos tou Georghiou from Dhali, Papayiannis Ioannis tou Charalambous from Anglandjia and Hadjikyriakos Philippos tou Stephani from Famagusta.

I also have copies of photographs of other missing people, but I shall not read out any more names as that would burden the House. However, I have a photograph that was published in a Turkish publication and shows a visit by the Turkish Red Crescent to a prisoner of war camp. It shows four identifiable individuals alive in prison in Turkey—but they are now missing. I also have two pictures from a BBC documentary, again taken at Adana prison. They show four individuals who have been identified and who were alive and well but who are now missing.

There are 1,619 missing people, of whom 992 were reservists—prisoners of war caught fighting—but 627 of them were civilians. Of the total, 1,503 were men and 116 women. The sad thing is that, although among the older age groups 315 were over 60 and 241 were between 40 and 60, 1,036 were between 16 and 39—the active miliary age group—and 27, including two girls, were under 16.

There has been much public condemnation of the fact that people who were known to be alive in custody are still posted as missing and their fate is unknown. The Parliamentary Assembly of the Council of Europe considered the matter in September 1984, as did many other international bodies. It discussed the Verde report, which was endorsed. Mr. Verde wrote:

"Enforced disappearance is one of the most serious violations of the human rights safeguarded by international instruments: it infringes virtually all the victims' personal rights and many of the rights of their families. The violations are also contrary to the 1949 Geneva conventions and cannot be justified by special circumstances, whether armed conflict, state of emergency or internal unrest or tension"—

any of which terms accurately describes the situation in Cyprus at that time.

The House will note that the Verde report refers to the rights of the families of missing people. It is on the agony of the families that I want to dwell for a few moments. To understand their agony, we must have a little insight into their southern European, Greek orthodox culture. In that culture, family ties extend widely and deeply. It is often jokingly said that, in Cyprus, everyone is everyone else's cousin—that is the latitudinal family tie.

Longitudinally, it is interesting to note the extent of the use of the patronymic. The endings "-idis", as in Christophides, "-akis" and "-opoulos" are all patronymic endings. It will be noted that the simple genitive case is often used as a surname, as in Georgiou, which means son of George or "George son". This feature is, perhaps, common in other cultures, but people in Cyprus have another interesting custom, which is to pass on Christian names from grandfather to grandson. The son of Charalambous Kotziamanis is a dear friend of a number of us in the House—Nikos Charalambous Kotziamanis—whose eldest son is Charalambous Kotziamanis, and so it will continue.

That family tradition is echoed in the formalised remembrance of the dead. There are services after three days, after 40 days—the Sarandaimeron, which is very important—after three months, after six months, after 12 months and annually thereafter. Connected with that is the importance of the family grave in the ancestral village. Indeed, the very word "cemetery", or koimeterion, means the place where the dead rest or sleep.

The distress felt by the 180,000 refugees is caused not just by the loss of their property, but by the loss of their ancestral villages. One need only observe the multitude of village associations that exist in the London Greek Cypriot community to appreciate that. In such a culture, uncertainty about the fate of loved ones and the denial of the experience of bereavement is particularly painful. Those loved ones are not at rest; people hope against hope for their return, setting places for them at family celebrations such as weddings. Anyone who has observed

[Mr. Edward O'Hara]

a public meeting of refugees cannot have failed to be moved by the sight of old women holding up photographs of those whose fate is still unknown—agnooumeni, or missing people.

That is why the recent pronouncement of the Turkish Cypriot leader, Rauf Denktash, was so particularly brutal. He said that the "unknown" were all dead—that the Turkish army had handed them over to Turkish paramilitaries in the aftermath of the invasion of 1974, and that the paramilitaries had put them to death. I am not certain how that can have been done to people who were in prison in Turkey.

It is not clear what Rauf Denktash intended. Did he intend to clear Turkey of responsibility for those people's fate, or simply to close the issue? Whatever his purpose, the attempt failed. If Turkey handed over prisoners of war to paramilitaries, that was wrong, and a violation of international conventions. If Turkey wants to be absolved, it must provide the necessary information. The problem for Turkey is the evidence that I gave in my opening remarks—evidence of the known existence of many of the people involved after the cessation of hostilities.

Rauf Denktash's remarks did not close the issue. They make no difference to the requirement that the fate of the missing people—the fate of as many individuals as is humanly possible—must be revealed to their families, to whom they continue to be dearly loved sons and daughters, brothers and sisters, husbands and wives, fathers and sons, or just missing friends.

I shall read a poem by another dear friend of some hon. Members, Michaelis Xenophontos Joannou—son of Xenophon. The poem is entitled "To A Missing Friend".

"Where were you lost my friend
Where do you roam at this hour?
In which dungeon are you kept prisoner
Or have you been buried
In an unknown grave
Without a cross?
'Missing' they said
And they took down all details
Whilst life continued its road.
I always see you, though,
On the football terrace
Standing and smiling at me . . .
In vain I try to explain
That bitter smile on your face."

The United Kingdom has many interests in the matter—as a guarantor of power, as a member of the Commonwealth and as a country in which many relatives of the missing people have settled, joining the Greek Cypriot community here. Some of the missing people had dual nationality: I am aware of at least one. Earlier this week, I presented my Cyprus (Commission of Enquiry into Missing Persons) Bill, the aim of which is to

"establish a Commission of Enquiry to take evidence concerning the whereabouts of certain missing persons and to authorise the provision of assistance in the conduct of any investigations into those matters carried out by the authorities on the island of Cyprus; and for connected purposes."

The Bill's Second Reading is to take place on 12 July, but I have an opportunity today to rehearse briefly the case for the establishment of the commission.

Mine is a modest proposal. I ask for an investigation of the fate of certain missing persons, at the invitation of the Cypriot Government. The Bill offers a framework, procedures and funds by means of which, after 22 long years, the hopes of the families of the agnooumeni may be vindicated—although, sadly, that is now unlikely—and their fears laid to rest by knowledge of the fate of their loved ones. Painful though that may be, it does not compare with the pain of the present uncertainty.

11.33 am

Mr. Eric Clarke (Midlothian): I, too, want to talk about Cyprus and the role of the United Kingdom Government, the United States and European Governments.

The island has been occupied for more than 21 years. It has been annexed, and United Nations troops are on the green line. When I go there, I try to imagine what it would be like if the same happened in Scotland—if my homeland, my people and my property were taken from me. What would it be like if foreign troops occupied the part of the country to which I belong, and my property was filled with immigrants from Turkey or another foreign power?

The Scots are a proud race—no less proud than the Greeks and even the Turks. We are a warlike nation, just as they are. The British have used us on many occasions to force their policies on other people. The Cypriots, however, have genuinely tried to exercise a peaceful policy, through the United Nations and in other ways, in an attempt to reunify their country. There is a democracy in Cyprus; the Cypriots have even put their political future at stake, repeatedly trying to establish formulas through the United Nations, and holding meetings in New York and elsewhere to suggest to Mr. Denktash ways of returning the annexed territory to a united Cyprus in which people can live in freedom and democracy.

All that has been to no avail, however. There is clearly a connection between Mr. Denktash and Ankara. Much hangs on the attitude of not just the UK Government but the United States, which has considerable influence on the Turkish Government and the proposal that Turkey and Cyprus should become part of the European common market. I hope that the good will and efforts of others will make it clear to Ankara that we cannot stand aside after 21 years and see a divided nation in which UN troops are on guard at all times and people are made refugees in their own country. Many of them have come to the United Kingdom, but they would be delighted to return to their ancestral homes.

The Government are denying their responsibilities. It is all very well to say that the Cypriots must come together, but have our Government seriously analysed the proposals of the democratic Government who are in place in the largest part of the island for the protection of minority groups? I do not believe that the Foreign Office has made any serious efforts. There seems to be a pro-Turkish lobby in the House. I am not pro-Greek; I am pro-democracy, decency and freedom. I want the people of Cyprus to be united once more, as they should be. I congratulate my hon. Friend the Member for Knowsley, South (Mr. O'Hara) and others on bringing the Government's attention to the problem. I do not know how much publicity it will get, but it is certainly an outstanding international problem.

There have been peace negotations between the Israelis and the Palestinians, and similar negotiations brought democracy to South Africa after years of apartheid. What is stopping us from negotiating to bring

about the unification and freedom of Cyprus? Turkey and Greece are two great nations with ethnic connections. They have different religious and, perhaps, political views, but if Israelis can get together with Palestinians and if South Africa's people can negotiate to do away with apartheid, anything can happen in this world.

I hope that the UK, which has a vested interest in Cyprus and a responsibility as a partner in efforts to secure peace and unity, will take this matter seriously and that, in the years before the millennium, its priority will be to ensure that Cyprus again becomes a united nation and island under a democratic process. Achievement of that would be a credit to us and to the people who are aiming to secure it.

11.39 am

Mr. Paddy Tipping (Sherwood): I want to pursue a matter that was referred to in the excellent maiden speech of my hon. Friend the Member for Hemsworth (Mr. Trickett), who spoke with depth, feeling and understanding of the problems that face coalfield communities in his constituency. It is important that we work towards creating new jobs, new opportunities and a new future for coalfield communities.

In the past few weeks, British Coal Enterprise has been privatised. That process is now almost complete. When the House resumes after the Easter recess, the enterprise will be in private hands, so it is important that we discuss the matter—perhaps for the last time—today.

The House will remember that British Coal Enterprise was set up as a regeneration agency to attract new jobs to coalfield areas and to retrain former miners. In the financial year just ended, it spent £20 million in coalfield communities. It operates a loan fund that is matched against others to create funding for small business and other companies. It operates workshops in coalfield communities throughout the country and it has been involved in the training and retraining of former miners.

I want to record my thanks and those of many hon. Members on, I think, both sides of the House to British Coal Enterprise, and in particular to its chief executive, Phillip Andrew, and all his staff. I opposed British Coal Enterprise's privatisation, but the job is now done. The agency is being fragmented. The loan fund has been subject to a management buy-out by Coalfield Investments Ltd., which is headed by Bill Furness, British Coal Enterprise's former finance director. The workshops have been sold to a firm called Birkby, which is based in Huddersfield. The training side—the Grosvenor side of the business—has also been the subject of a successful management buy-out.

British Coal Enterprise has been discussed many times in the House. On a number of occasions, Ministers have made commitments that, as part of the sale, the new private sector owners will continue the agency's work in coalfield communities. According to Ministers, under new ownership, British Coal Enterprise will continue to focus on creating jobs, to maintain the loan fund and to offer coalfield communities a new future.

Coalfield communities were therefore extremely surprised and disappointed to learn only yesterday that, out of the 120 staff who work for British Coal Enterprise, 30 are to be made redundant—a 25 per cent. cut in jobs. I understand that further redundancies may be announced shortly. There is a strange irony in the fact that an agency set up to create new jobs in coalfield areas is now putting people out of work.

My real concern is that commitments—they are on the record—had been given that, under private owners, resources would continue and that, in its new form, British Coal Enterprise would continue to do the job. The bottom line is that, with staff cuts of 25 per cent., it may not be able to do so. Faith has been broken with coalfield communities.

Coalfield communities have a right to know how much the Treasury has gained from the sale of British Coal Enterprise, which was 100 per cent. owned by the public. The proceeds are to go to the Treasury. The sale has been completed. How much money has been gained? Figures of about £20 million to £30 million have been bandied about. Let us have it on the record; let it be acknowledged how much money has gone to the Treasury.

Let the Minister face the argument. The agency was set up to create new jobs in coalfield areas. Why should not the receipts from the sale be put back into coalfield communities, perhaps matching RECHAR funding, to bring new jobs into the area?

My hon. Friend the Member for Hemsworth spoke movingly of the problems that face coalfield communities. Hon. Members will remember that, in October 1992, the then President of the Board of Trade announced measures that, in effect, wound up large parts of the coal industry in the United Kingdom. Since then, unemployment nationally has fallen by 17 per cent.

I am pleased that my hon. Friend the Member for Mansfield (Mr. Meale) is here this morning, because he knows better than anyone that, since October 1992, although unemployment nationally has fallen by 17 per cent., in the Mansfield travel-to-work area, which covers his constituency and part of mine, unemployment has fallen by just 7 per cent. and that, in the neighbouring Worksop travel-to-work area, it has hardly fallen at all. The gap between affluent areas and disadvantaged areas such as coalfield communities is widening, which is a recipe for social disaster.

The nation owes a debt to the coal industry, to the people who worked in it and to coalfield communities. Coalfield communities know that they need a new future and that they must find that future through their own efforts. They want investment in infrastructure, in workshops and in companies, but especially investment that will create a new future.

Even at this late stage, I hope that the Minister will reconsider the issues that surround British Coal Enterprise. I hope that he will reiterate the commitment that Ministers have given many times in the House that, under private ownership, British Coal Enterprise's successor companies will continue to meet coalfield communities' needs. I hope that he will consider how much money has been raised from the sale of British Coal Enterprise, whether it is £20 million or £30 million, and give a commitment today that the money will be spent on creating the new jobs and the new future that is so badly needed in many of our neighbourhoods and towns.

11.48 am

Mr. Alan Meale (Mansfield): I thank my hon. Friend the Member for Sherwood (Mr. Tipping) for his kind remarks. I also pay tribute to my hon. Friend the Member for

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Hemsworth (Mr. Trickett) and wish him well in his career. I certainly think that he will do an excellent job. Those who have listened to his speech—or who will read it in *Hansard*—will have learnt much about the man and about what he will, I hope, do in his time in Parliament. If he can do half as well as his two immediate predecessors, he will do a magnificent job.

I also remember Derek Enright, who was a marvellous politician and a marvellous friend. I also remember his predecessor, George Buckley, who was a dear friend to many of us in the Chamber and a sterling worker on behalf of the coalfield communities that he represented. Sadly, both men died serving their community and the state. I wish my hon. Friend well in his endeavours. I hope to God that the same fate does not befall him while he is a Member of the House. I hope that he has a long and arduous time in this place, but that he enjoys good health in his old age in retirement.

Like my hon. Friends the Member for Knowsley, South (Mr. O'Hara) and for Midlothian (Mr. Clarke), I, too, want to raise the question of Cyprus today. It is a scandal that we, as a guarantor power and as signatory to a number of conventions in relation to Cyprus, have not fulfilled our responsibilities to that great allied nation. Here we are, yet again, 21 years after an illegal invasion that resulted in the illegal occupation which continues today, with tens of thousands of troops illegally occupying one third of the sovereign island of Cyprus. That is a disgrace.

I want to consider other disgraceful areas where we have failed to exert sufficient pressure to try to help this ally. Since 1974, 1,619 people are still missing, many of whom can now be presumed dead because of the age at which they were taken prisoner—nearly all in uniform, I may add, under the terms of the Geneva convention. But young women and girls and one four-year-old child also disappeared during that time. I know of that child, having considered the history of his case. President Klerides of Cyprus knew all about that case because, at the time of the illegal invasion, he was acting President of the island. Mr. Dentkash, who remains the leader of the Turkish Cypriot illegal regime in the north, was the acting President of that illegal regime. On many occasions, that young child was about to be handed over, but it never actually happened. His case typifies nearly all the cases of the missing 1,619.

Not just one or two cases of joint citizenship are involved. There are hundreds of cases of people who had British citizenship, and nearly all those involved have relatives who are British citizens. It is a scandal that we have not tackled the issue head on, in an attempt to discover the whereabouts of those missing people, or at least to notify relatives of exactly what happened. If there are any remains, they should be returned to the relatives.

One reason why we should tackle this international issue head on is Britain's historical relationship with Cyprus. At no time within its recent history has Cyprus let Britain down. I am amazed that it has not, when one considers some of the events in which we have been involved with that nation and the ways in which it has been treated by us.

During world war one, tens of thousands of Cypriots stepped forward to fight with the allies. On day one of world war two, 42,000 of the 48,000 eligible adults in Cyprus volunteered to fight fascism in Europe, and thousands of them died in the process.

I am not ashamed to say to my hon. Friend the Member for Midlothian that I am pro-Greek. I am pro-Greek because Greece, like Britain, is a member of the European Community. I do not step away from that, because I also recall what Greece gave during the second world war. For the first two years, it was not officially in it, but on day one it gave the whole of its merchant fleet to the allies. In the process, during those first two years, thousands of lives and ships were lost. It is an historic fact that, if Greece had not entered the war and had not taken on the fascist forces of Germany at that time, the war could have been lost.

Mr. O'Hara: Will my hon. Friend also remark on the fact that for six months, between 28 October 1940 and the occupation of Athens in April 1941, Greece alone was fighting with the United Kingdom against the fascists?

Mr. Meale: I thank my hon. Friend. We should remind ourselves of those facts and of what side Turkey was on during that period. It certainly was not the British side.

When I think about the illegal occupation of Cyprus, I also remember Turkey's human rights record, which is the most abominable in Europe. I wonder why we have stepped back from Cyprus and have not given it the support that it has given us. Anyone with even a modicum of intelligence will realise that it is because we are being led by United States foreign policy. That is the reality.

Many of us will wonder why the United States should be involved in all this. Among the 1,619 missing people are a number of American citizens. Yet the United States has failed to fight in a realistic and honourable way to discover the whereabouts of those people, to obtain their release or to have their remains returned. I just wish that the United States would treat its missing people in Cyprus as seriously as it treated its missing people in a more recent confrontation in Vietnam.

But this is about United States foreign policy and about Britain being led by the nose by the United States. Many reasons have been given for that. One is that America has a number of missile bases in Turkey which, in the old days, pointed towards the old Soviet bloc. That wall has now come down and instead, as I understand it, the Americans have switched their missiles round slightly, aiming them towards the middle east in order to try to provide stability there. We all know how, during the Kuwait war, Turkey was used by American forces in order to send aircraft and troops against Iraq.

But the truth is that this is not really about missile bases. If it was, the Americans could have them in Cyprus or on aircraft carriers or submarines in the Mediterranean. This is about trade, and a particular kind of trade—oil and gas. We all know that 72 per cent. of the world's known resources of oil and gas are situated in that part of the world, particularly in Turkey. It is about that, and about American trade and foreign policy, which seeks to get through the door of the old Soviet states and to trade there, to capitalise on the gas and oil reserves and to use that as a base to enter Europe and to trade with the third world—Africa, India and all the rest.

Any economist with any sense who has read Lipsey will know that the only way in which the world will be able to get out of the recession in which it now finds itself is to trade out of it, and the most open market for that resides in the third world and, in particular, in Africa.

We need to start to live up to our responsibilities. Sadly, we have let down the people of Cyprus. This is a matter of common sense and it is in Britain's interests. Cyprus represents, as a full partner in Europe and as an ally of Britain, many advantages. The first is its role in trade with the third world, to which I referred earlier. Cyprus has an excellent record, particularly with African nations, and certainly with the old eastern bloc. It now has its own stock exchange, which is magnificently run, and an offshore banking system that is second to none. Its geographical location offers Europe the opportunity of a telecommunications bank for Europe that would be the envy of the world. Last but not least, it has the second largest shipping fleet in the world, which, if joined with that of Greece, would give us a monopoly on world shipping. If we are to trade, we need that base.

Madam Speaker, it has been kind of you to allow me to address the House today on Cyprus. I say that Britain should live up to its responsibility. It should demand of Turkey and of the illegal regime that they get round the negotiating table and, as a precondition to any movement, notify the United Nations missing persons committee of the whereabouts of the missing persons. Then we could go on to free the island, make it a full partner in Europe and be an ally to it, as it has been to us.

12 noon

Mr. Tony Banks (Newham, North–West): I associate myself with the views of my hon. Friend the Member for Mansfield (Mr. Meale). I also describe myself as pro-Greek. Indeed, I was made an honorary citizen of the island of Simi, which is just a few kilometres from the shores of Turkey. Those of us who consider ourselves pro-Greek have a responsibility to ensure that the Greeks and Turks talk to each other. Political solutions need to be found, and we must do all that we can to encourage the search for them. At one stage I thought that I would have to pack my tin hat along with my suntan cream and sunglasses when I went to Simi, given the increasing tension between Greece and Turkey.

My hon. Friend the Member for Hemsworth (Mr. Trickett) will make an excellent Member of Parliament, although he has a lot to live up to. I know that he knows that as well as anyone. Derek Enright was a most cultured, civilised and decent human being, and we all miss him enormously.

The hon. Member for Basildon (Mr. Amess) is not in his place, but I know that he will read *Hansard*, if only to read his own speech. I am sorry that he felt that I was being nasty to him. I should like to say that he played a great part in assisting the London borough of Newham and the private and public sectors on the location of the second international station at Stratford. It was just a little bit of uncustomary bile on my part that led me to say those unkind, ruthless and altogether accurate things that I said about him.

I regret that the hon. Member for Castle Point (Dr. Spink) criticised my good friend Mark Thomas, who does the excellent programme on Channel 4, "The Comedy Product". Anyone who revealed, as Mark did, the underwear secrets of the hon. Member for Southwark and Bermondsey (Mr. Hughes) deserves a great tribute from the nation. When he revealed to a horrified nation the state of the hon. Gentleman's underpants, he did something that we all should be pleased he did. The underpants from hell is the only way I can describe them. No doubt he will live to regret the interview that he gave to Mr. Thomas.

I should like to say a few words before the Easter recess about bovine spongiform encephalopathy or mad cow disease. Perhaps later this afternoon the Minister of Agriculture, Fisheries and Food will make a statement about the failure of the European Union to lift the ban on British beef, even though thousands of cattle are to be slaughtered and more will be following on a selective basis.

The thing that I deeply regret is that the taxpayer will pick up the bill for all this. There is no such thing as a free lunch, particularly within the European Union. Although 70 per cent. of the cost of the slaughter policy will come from Europe, we contribute to the EU budget. So the money might come indirectly, but it will still come from the taxpayer. There is something wrong here.

My hon. Friend the Member for Sherwood (Mr. Tipping) talked about the destruction of the coalfield communities. When the arguments on that were raised in the House, we were told that it was a matter of market forces. Market forces dictated that there was no longer a demand for coal and the miners would just have to pack up from the pits, leave their helmets and lamps behind, and go somewhere else.

Mr. Jacques Arnold: Will the hon. Gentleman give way?

Mr. Banks: No. I cannot give way; I do not have time.

A completely different solution is advanced whenever the farmers unions are involved. I know that they play a vital role in the economy, but farmers in this country always get special treatment. The miners are told that it is the market, but we have to make special provisions for the farmers. Some farmers and those who work on farms or in the beef industry are entitled to special provision, but I do not see why the taxpayers should pick up the tab for farmers who knowingly fed their cattle, which are ruminants and herbivores, animal protein foodstuffs. One does not need to be a scientist or wear a white coat—a few Members in the House ought to be wearing white coats, but not because they are scientists—to realise that it is obvious that, if we start grotesquely interfering with nature, there will be a price to pay. The taxpayer is expected to pay that price.

If we are going to shoot hormones into cattle to tenderise meat, genetically engineer animals to produce food for us, and interfere with the natural growth of fruit and vegetables, we shall do things to ourselves as well as to nature. We are poisoning ourselves. One does not need to be an expert to work out that there will be consequences.

I want to know whom we are going to sue. Someone ought to be arraigned in a public dock and accused. We can accuse the Government, but we could certainly also accuse the cattle cake manufacturers. After all, those who produce pharmaceutical products, tobacco companies and the manufacturers of asbestos can be sued for endangering the health of the nation. So why

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should not those who have endangered the health of the nation through BSE now be sued? Everyone is walking away. No one is guilty. No one is at fault. No one is to blame. But the taxpayer has to pick up the bill in the end.

I have been a vegetarian for some years now, but unfortunately not long enough to have escaped the incubation period of mad cow disease in humans. So I am probably as potentially mad as anyone else in the Chamber.

Mr. Trickett: No sympathy.

Mr. Banks: I am not looking for sympathy. Some people feel that I contracted mad cow disease an awful long time ago, but that is neither here nor there.

What I want to know now is how I and other vegetarians can avoid beef products. It is not easy. All right, I do not go out and buy beef. That is the easy part. It is where beef products go into the food chain elsewhere—where they are hidden—that gives me room for concern. For example, skin, bones, ligaments and tendons are boiled up to make gelatine, which is used as a gelling or thickening agent in many products, including some, if not all, yoghurts, ice creams, cakes, biscuits, sweets, mints, liquorice allsorts, jelly beans, wine gums, jelly, sausages, aspic in pork pies and coating for vitamin pills.

In order to make sure that I stay healthy long enough to see the hon. Member for Gravesham (Mr. Arnold) go to his inevitable political doom, I take vitamin tablets. I now find that I am taking vitamin tablets that contain beef products. So I am thinking, "Ha ha, I am not going to go mad like the rest of them. I am okay. I am taking vitamin tablets." The fact is that I am still doing exactly what other people are doing. I am taking potentially infected products into my system without knowing it. If I want to commit suicide, I want to do it knowingly. I do not want to do it by accident. We need far more information and labelling to tell us what goes into food products.

When I have called in the House for various boycotts of nasty products because of the treatment of animals, the ministerial response has always been that it is up to the consumers to decide. Consumer choice is what it is all about. I do not disagree with consumer choice, but to exercise choice, we need information. We do not get enough information about what goes on.

At the base of the problem lies the fact that the Ministry of Agriculture, Fisheries and Food is responsible for food protection as well as for food production. That raises irreconcilable conflicts, as is shown by BSE. We must split the two functions. I want to think that someone is looking after my interests as a consumer rather than sacrificing them in the interests of the producer.

We must all learn from what has happened. My lesson is that I am far from being safe in following a vegetarian diet because I do not know enough about what goes into the foods, pills, tablets and potions that I take to be able to make speeches here. I shall end because I have been told to do so.

12.9 pm

Mrs. Ann Taylor (Dewsbury): I would not dream of telling my hon. Friend to end, but I am glad that he sat down when he did because it gives me the chance to reply to the debate.

I have just received a message from the Leader of the House saying that he has been delayed in Cabinet in respect of the Agriculture Council. I am sure that that will be of especial interest to my hon. Friend the Member for Newham, North-West (Mr. Banks), because the issues he raised are significant and are causing much concern. I agree that there must be limits on how far we interfere with nature. On his points about what happened in Brussels overnight, I hope that the Leader of the House will tell us that there will be a statement to the House on that today.

It would also be appropriate to have a statement about the Cabinet's decision on a referendum on a single currency. I understand from my hon. Friends that they can read the outcome of the Cabinet meeting on Teletext—which is the normal way of finding out things—although I suppose that for the most part, we read it in this morning's papers, where such things are reported in advance.

I am sure that the Leader of the House regrets his absence from the Chamber; we understand why it is necessary. He will especially regret missing the maiden speech of my hon. Friend the Member for Hemsworth (Mr. Trickett). I am pleased, as a fellow Yorkshire Member, to be able to congratulate him from the Front Bench on his contribution. Those of us who knew him before he came into the House, and knew the impact that he made on Leeds city council, had high expectations of him, which he has met today. I am sure that his reputation for directness, good humour and taking a practical approach to problems will stand him in good stead.

He will appreciate both the compliments that have been paid to him and the heartfelt compliments that were paid to his predecessor, Derek Enright. All hon. Members had a great deal of respect and fondness for Derek. He would appreciate the fact that my hon. Friend the Member for Knowsley, South (Mr. O'Hara) intends to maintain his tradition as a classicist.

My hon. Friend the Member for Hemsworth said that Derek Enright had a real presence in the Chamber. On occasion, that caused the Chair some concern. I noted, Mr. Deputy Speaker, that my hon. Friend was careful to compliment—rightly—your colleague the First Deputy Chairman of Ways and Means. He is already working out how this place works, and I am sure that he has put in some good preparation for trying to catch the Chair's eye to speak again later today. We congratulate him on his performance and good humour. The House welcomes his contribution and his concerns about the coalfield community that he represents and the disasters that have happened to it, the health service and the other local constituency matters that he will, I am sure, raise from time to time.

It is always difficult to reply when hon. Members have spoken on a wide range of subjects. First, my hon. Friend the Member for Tooting (Mr. Cox), who has a reputation of using these debates to good effect, reminded us, as he did at Christmas, of the difficulties that his constituents face because of the pressures on St. George's hospital. Many of us will know from our constituency experience that our constituents often say that a hospital and its staff

are great, but that the pressures on them are too great for them to be able to cope in the way that they would like. It is useful to have these debates where such issues can be raised, so that Ministers are left in no doubt about the concerns of our constituents.

The hon. Member for Liverpool, Mossley Hill (Mr. Alton) referred to violence on television and video. As a parent of two young children, I share his concerns. He spoke at some length about the V-chip. I do not reject the idea that it could be a useful tool, but we should not oversell the idea as the solution to the problem. The difficulties are more complex than that. As parents, we have significant responsibilities for what our children watch.

The current hon. Member for Basildon (Mr. Amess) was at times amusing, although not always intentionally so. His tirade against his local authority was to some extent matched by that of the hon. Member for Gravesham (Mr. Arnold). He is in some difficulty when he criticises Basildon and mentions a headline that said that Basildon schools were not good enough for the local Member of Parliament. He has already decided that Basildon is not a good enough constituency for him, so he should be careful.

My hon. Friend the Member for Denton and Reddish (Mr. Bennett) raised serious and frightening issues, although he raised them responsibly, about volatile organic compounds. He said that he had given the Leader of the House warning that he would raise the matter. Perhaps the Parliamentary Secretary will say what the Government intend to do to make up the backlog, given that they are not on target to meet the requirements for air quality. I know that last year was difficult, but people with asthma and other respiratory diseases are anxious. This would be a good time to update the House on the Government's air quality strategy. I understand what my hon. Friend said about postcodes and the way in which they are used, and sometimes misused, for insurance ratings. Perhaps the Minister will answer those points.

The hon. Member for Castle Point (Dr. Spink) raised a small but significant problem that affects constituents. He made good use of his time, as did the hon. Member for Newbury (Mr. Rendel), who talked about the pyramid selling of business club membership. I have not heard of that device for getting money out of people, although I am aware of previous concerns about pyramid selling in general. I hope that his warnings will be heeded.

The hon. Member for Gravesham adopted an approach that is common among Conservative Members—"Don't blame us, we're only the Government." In recent weeks, local authorities have been blamed for half the country's problems and the European Community for the other half. My hon. Friend the Member for Livingston (Mr. Cook) has been blamed for the Scott report and my hon. Friend the Member for Peckham (Ms Harman) for BSE. The public must sometimes wonder why we want to be in power. Why do we want to sit on the Government Benches, if we have so much power and influence when we are in opposition? Passing the buck has to stop somewhere, and the public have rumbled what the Government are all about.

Three of my hon. Friends used this morning to raise the serious issue of Cyprus, and did so in a way that silenced the House and made everyone present listen with great attention to the tragic stories. They were right to give us salutary reminders of the personal hardship caused by the situation there. I hope that attention is drawn to the problems that they raised so responsibly. I am sure that their comments will be taken on board.

My hon. Friend the Member for Sherwood (Mr. Tipping) raised an important constituency matter, which also affects other people within his region and in Yorkshire—British Coal Enterprise. His arguments in favour of such activities, which can help bring investment, help small businesses and help in the retraining of people who have lost their livelihoods, ought to be heeded by the Government, because there is so much insecurity that, if such enterprises can bring some hope, they deserve support.

We have had a useful morning, and I hope that the Minister will take on board many of the constructive suggestions made by my hon. Friends.

12.21 pm

The Parliamentary Secretary, Office of Public Service (Mr. David Willetts): I must begin by passing on the apologies of the Leader of the House, who had hoped to be here to respond. Indeed, that was the basis on which he invited me to sit on the Front Bench for an hour while he was away in Cabinet. Sadly, things have not worked out like that, and I have to stand in for him. He is sorry that he has not been able to return to the House, and I shall, of course, draw to his attention all the points made in the debate. If I am not able to deal with them in the few minutes remaining, I shall ensure that the relevant Ministers are made aware of them.

The highlight of this morning's debate was the maiden speech of the hon. Member for Hemsworth (Mr. Trickett). I congratulate him on that speech. He is very welcome in the House. We remember his predecessor fondly—particularly his knowledge of the classics. It was interesting to discover that Geoffrey Boycott—a man whom we admire for his political loyalties as much as for his cricketing skills—was brought up in Hemsworth. We look forward to more contributions from the hon. Gentleman in the months and years to come.

We also heard a conspicuously interesting contribution from the hon. Member for Liverpool, Mossley Hill (Mr. Alton), who is widely respected on both sides of the House because of his concern for a series of moral issues that affect the quality of life in our country today. He wanted to draw the attention of the House to V-chips. The Government are considering the implications of the V-chip carefully and are in consultation with broadcasters, regulatory bodies, viewers and other interested parties. It is undoubtedly an interesting and promising new development, but some technological and practical issues surround it, which still need to be tackled. It was useful that the hon. Gentleman raised that issue today, however.

The hon. Gentleman also referred to the video of "Natural Born Killers". I am sure that many hon. Members view with enormous distaste and dismay some of the videos and films that are now available, but the British Board of Film Classification is an independent body—the Government have no powers to intervene in its decisions.

My hon. Friend the Member for Basildon (Mr. Amess) made some telling points about Essex county council and Havering council in his speech. The third subject that he

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raised was the importance of religious education in schools. Early-day motion 715 is before the House at the moment and deals with that subject.

I am sure that many hon. Members on both sides of the House were shocked by the remarks of the Liberal Democrat spokesman, the hon. Member for Bath (Mr. Foster), who apparently has said that in an ideal world there would be no religious state schools and that his party would put a stop to the daily act of worship, in an attempt to encourage all children to be educated together. That is not a remark that many hon. Members would agree with and my hon. Friend the Member for Basildon was right to draw it to the attention of the House.

The most extraordinary scene then followed. The hon. Member for Newbury (Mr. Rendel) tried to tell the House that that remark did not mean what it appeared to mean and, as soon as he sat down, his hon. Friend the Member for Mossley Hill stood up to confirm that it indeed meant what we thought it had meant all along. That interesting internal debate among the Liberal Democrats was clearly won by the hon. Member for Mossley Hill.

We heard a variety of other important contributions today. Sadly, I missed the opening speech of the hon. Member for Tooting (Mr. Cox), who mentioned the position at St. George's hospital. The hospital is taking action in collaboration with its purchasers and other trusts to manage the increased demand that we recognise is occurring in emergency admissions. By good fortune, I see the Under-Secretary of State for Health, my hon. Friend the Member for Orpington (Mr. Horam), sitting on the Front Bench. I shall ensure that that Department is made aware of the hon. Gentleman's comments.

The hon. Member for Denton and Reddish (Mr. Bennett) mentioned postcodes and volatile organic compounds in his speech—two subjects that do not, perhaps, sit naturally together in one speech—and the shadow Leader of the House pressed me to deal with air pollution and volatile organic compounds. I can assure the hon. Member for Denton and Reddish that, despite the postponement of deadlines for certain sectors as regards such compounds, which was announced last June, the Government are steadfast in sticking to their commitment to reduce by 1999 volatile organic compound emissions by 30 per cent. compared with the level in 1988.

Sadly, I have only a few minutes left and there is not time to go through all the subjects raised by other hon. Members. I see my hon. Friend the Member for Gravesham (Mr. Arnold) in his place. He made some pertinent remarks about the private finance initiative, giving a good example of how it can benefit patients locally and raise standards in the health service—points that were well taken. I shall ensure that his remarks about the Kent county council highway programme are drawn to the attention of the Minister responsible for local roads at the Department of Transport.

Cyprus was mentioned in a series of speeches—particularly the people who have been missing since the Turkish invasion, and human rights concerns. Here, everyone accepts that, because of Britain's special historic role in that unhappy country, we must do everything we can to move towards a solution of the difficult problems on the island. I was impressed by the knowledge displayed by the Labour Members who spoke on the subject. When I did some research, it was clear to me why they had such expertise. I found that the hon. Member for Knowsley, South (Mr. O'Hara) visited Cyprus on several occasions in 1995—in August, in September, and again in October—as did the hon. Member for Mansfield (Mr. Meale), doubtless to research in greater detail the points that they made today.

The hon. Member for Sherwood (Mr. Tipping) raised the question of the future of British Coal Enterprise, and I shall draw his points to the attention of the President of the Board of Trade. The difficulties of British Coal Field Investments Ltd. should not obscure the fact that, generally, the industry is doing well and that the privatisation of coal has been a success. I am told that British Coal Enterprise is continuing discussions with English Partnerships on the transfer of a package of some 80 sites for major regeneration projects.

Mr. Deputy Speaker, I wish you a happy break over Easter—I know that we are not finished yet, but the three-hour debate is almost over. I wish all hon. Members a refreshing Easter break. I look forward to returning to this place reinvigorated the week after next.

Health Services (Wakefield)

12.30 pm

Mr. David Hinchliffe (Wakefield): I am grateful for the opportunity to raise, once again, concerns about the provision of health care in the Wakefield metropolitan district. I have calculated that, within the past five months, this is the seventh occasion on which I have felt it necessary to raise these concerns in the Chamber. I know that my anxieties are shared by my hon. Friends the Members for Pontefract and Castleford (Sir G. Lofthouse) and for Hemsworth (Mr. Trickett), who made his maiden speech this morning. I apologised to him earlier for not being present during his speech. I know that he will make his mark in the Chamber in the years to come. Unfortunately, my hon. Friend the Member for Normanton (Mr. O'Brien) is unable to be here today—within the past fortnight he has spoken about his worries about the redevelopment of Pinderfields hospital, Wakefield, and he shares many of the concerns that I shall raise now.

I have asked for this debate because my constituents—and, I suspect, the people of the Wakefield district as a whole—are bewildered about and increasingly angry at the uncertainties and crises that seem to underpin health provision in our area. The record of the internal market, since its introduction in Wakefield following the 1990 legislation, has been one of unfulfilled promises, contradictions and U-turns. I am not making a political point. As the Under-Secretary of State for Health will be aware, it is impossible to find any trace of a clear strategic policy direction in local health care because those responsible have found the task of making the market work in Wakefield completely impossible.

I make it absolutely clear that I do not blame the local management for this problem—it has been landed with a situation that is totally beyond its control. As the Minister knows, there has been a series of events over the past two years, in particular, that have given local people and their elected representatives real cause for concern about the future of vital health services in our area. The transfer of the regional neurosurgery specialism from Pinderfields hospital, Wakefield, to Leeds marked the start of a wholesale series of threats to key provisions which have been available in Wakefield over a long period.

I have previously said that what constituted a raid by a larger trust on a smaller trust suggested further developments to come, with my constituents and those of my colleagues increasingly being expected to travel to Leeds and elsewhere for care that was previously on their doorsteps. The neurosurgery episode was particularly worrying. While we have become accustomed to the opinions of local people being disregarded time after time in what are called public consultation processes concerning closures or changes of use, the experience on this occasion was worse than usual.

Before the consultation period had ended, Wakefield health authority conceded the transfer of the service, despite there being not one voice in support of the proposal in the Wakefield area. I believe that some sort of deal was done whereby Pinderfields was assured of the provision of a centre of excellence in rehabilitation and a chair in rehabilitation in return—this is recorded in minute 71 of the Yorkshire regional health authority minutes of 8 March 1994. More than two years on, there is no sign of this centre or of the chair. Is it any wonder that Wakefield community health council stated in a letter to the Secretary of State dated 6 March:

"The public of Wakefield and members of the Community Health Council have lost faith in the honesty and integrity of senior regional managers, and would question most strongly the validity of holding public consultation exercises"?

Those are strong words from a body of people who have learnt the bitter lesson that they have been far too trusting in the past about assurances given during consultations on closures or change of use. I felt that the CHC was wrong to accept the closure of the Manygates maternity hospital in my constituency following a consultation procedure in 1991. However, it did so on the basis of clear assurances on the provision of a purpose-built maternity unit on the Pinderfields site. Not only has that never materialised but, as I shall mention in a few moments, serious consideration has been given to the complete closure of the maternity unit at Pinderfields.

The Minister will be aware that, for some time, the health authority has been concerned about the viability of having two acute trusts in the Wakefield metropolitan district. Nearly three years ago, the authority launched a discussion paper proposing moves towards one trust. That proposal was quietly dropped after strong local opposition, obviously based on fears that it would result in a rationalisation of services at the current district hospital at Pinderfields in Wakefield and at the Pontefract general infirmary.

Just over a year ago, the then chair of Wakefield health authority, Mr. Brian Hayward, told me that the authority was seriously considering closing both Pinderfields hospital and Pontefract general infirmary, and moving the entire district's services to a new site somewhere geographically between the two. That came as something of a surprise to the chair and to the then chief executive of the Pinderfields Hospitals NHS trust who, at that time, were well on the way with a detailed proposal for a major redevelopment of the Pinderfields site through a private finance initiative bid. The left hand had no idea what the right hand was doing on that occasion, but this has been par for the course in recent years in our area.

Subsequently, the proposal was quietly buried and we were advised that services would continue to be provided from the two separate sites by the two acute trusts. However, the latest proposal to emerge is, once again, the idea of one combined acute trust. Last month, the Pinderfields and the Pontefract trusts produced what was termed a formal expression of interest in making an application for approval for a trust merger. Although the proposal has yet to be put out for so-called public consultation, I understand that the Northern and Yorkshire region has given approval and that the chair and the chief executive of the new body are already known. By the time the public are supposed to have a say on the proposal, it will be more or less up and running.

The merger proposal document is the clearest admission yet that the encouragement of competition between health providers is wasteful and counter-productive. It speaks of the merger proposal reinforcing

"The commitment to partnership rather than competition on the part of both Trusts."

It flags up the possibility of potential partnerships with other acute providers in West Yorkshire, where that achieves a greater critical mass of population.

[Mr. David Hinchliffe]

Such possibilities and what the document terms the "reconfiguration" of acute services across the district have raised serious worries about the continued availability of a range of services at both Pinderfields and Pontefract.

I want to make absolutely clear my wish to see existing services retained at Pontefract general infirmary as well as at Pinderfields. I have no desire to see services in Wakefield retained at the expense of those in Pontefract. It would be totally unreasonable to expect constituents in either the east or the west of the Wakefield metropolitan district to travel to the other end for basic services currently available in their own localities—but that is what is likely to happen as a direct consequence of the proposed merger.

The proposal to transfer maternity provision from Pinderfields hospital to Pontefract general infirmary is already being seriously considered. It flies in the face of clear assurances given to the public when Manygates maternity hospital closed. I have the consultation documents here for the Minister to see if he wishes to check that point.

With the debate concentrating on the critical mass issue, we are being told that maternity units with fewer than 2,000 deliveries per annum are no longer viable. As I reminded the health authority chair-elect—if that is the term for someone unelected—and the health authority chief executive last week, such a measure of viability would be contrary to the findings of the Health Select Committee maternity inquiry, the so-called Winterton report. I served on the Select Committee during that inquiry and I understood that the Government subscribed almost totally to its central tenets in relation to the size of units and clinical intervention.

I am not closing my mind to a reshaping of maternity, gynaecological and obstetric provision in my area, but I am saying that it is not on for women and their families to have to travel to either end of the district to a single maternity unit. Such a proposal would be fought in every way possible, as will other suggestions leading to the loss of long-standing services at either Pinderfields hospital or Pontefract general infirmary.

The district health authority's problems in trying to make sense of the internal market, have been made much worse by two other factors—the change in the national funding formula and the joker in the pack, GP fundholding. I previously pointed out that Wakefield health authority has been deemed the most overfunded authority in the new Northern and Yorkshire region since the new criteria were introduced. In the 1996-97 financial year—the current financial year—it is deemed to be more than £4.5 million overfunded because the new formula uses some questionable and dubious criteria.

For example, the market forces factor, under which we lose substantially, assumes lower pay rates in the Wakefield area when national pay rates for nursing staff are rightly still the norm. The population formula relating to age takes no account of the fact that people who die younger, as happens to be the case in the Wakefield area, require similar types of health care in their later years. It takes no account of the fact that hospitalisation rates per thousand in acute specialties, at 198 and 192 for Pontefract and Wakefield respectively, are considerably higher than the 160 average for England. The Minister must address the fact that the new formula markedly worsens an already critical position in the health services in Wakefield. I hope that he will consider that point in detail.

I hope that the Minister will also consider the impact of GP fundholding on Wakefield's problems. He will appreciate that the surpluses recorded by fundholders in the previous financial year were in marked contrast to the serious difficulties facing non-fundholding GPs trying to obtain hospital treatment for their patients.

I have said before, and I think we have proved conclusively in Wakefield, that a two-tier system is operating whereby patients of non-fundholders are disadvantaged. It is more than a little galling for non-fundholding GPs to have to struggle desperately to gain access to such treatment because of resourcing problems when local fundholders are so flush with money that they are building swimming pools with their surpluses. It does not go down well with the thousands of people who have campaigned to retain Snapethorpe hospital in Wakefield and were told that its recuperative facilities were no longer needed to find the new GP fundholding total purchasing project proposing to use private nursing homes instead of the NHS for the same purpose. Yet another so-called consultation process is proved to have been a charade.

Such episodes leave my constituents, and those of my hon. Friends who represent the Wakefield metropolitan district, angry and resentful about the treatment of their NHS by the Government. Bearing in mind the fact that they fund the NHS, are they not entitled to know why the chief executive of the Pinderfields trust literally disappeared slightly more than three weeks ago? Are they not entitled to know whether, as I suspect, Mr. Peter Ward, the gentleman concerned, was a scapegoat for some of these wider problems, most of which I believe were way beyond his personal control?

I conclude by reminding the Minister what the Secretary of State for Health said in his speech to the pharmaceutical services negotiating committee on 4 March 1996. He made it clear that the Government's policy was to ensure that health services were available to patients in their local communities. The logical outcome of merger proposals in Wakefield, forced on health managers by the serious problems that I have outlined, is the opposite of the objective set out less than a month ago by the Secretary of State.

If local health services in local communities is Government policy, I hope that the Minister will today undertake to intervene in Wakefield to prevent proposals of the type I have outlined, which will undoubtedly arise from the trust merger process.

12.44 pm

Mr. Jon Trickett (Hemsworth): Thank you for calling me, Mr. Deputy Speaker.

I associate myself with the comments made by my hon. Friend the Member for Wakefield (Mr. Hinchliffe) about a number of matters. In a recent meeting between the Members of Parliament for the Wakefield area and executives of several organisations associated with health service provision in the Wakefield area, it became clear to us that there had been a series of secret meetings of various types in Wakefield, at Quarry house in Leeds and probably in London about the future of health care

provision in the Wakefield area. It is also clear that decisions were well advanced in terms of an apparently urgent desire to bring about a fusion of the two trusts in the area.

It was also apparent that decisions had been taken about the personalities—names were known—of the putative chair and chief executive of the new trust. We were told that there would be a public consultation exercise, but it is not due to start until about July and will run through the summer. That is often a convenient time for such public consultation exercises, as many people are preoccupied taking annual leave and vacations, and so on.

We felt that we had been presented with a fait accompli and that we, as elected representatives for the area, had been excluded from the decision-making process. Not many days later, we received through the post documents indicating the early proposals to unify the trust. The documents we received—I have a copy in my hand—a formal expression of interest, are only part of a series of documents that have not yet seen the light of day, proposing the change in the health service arrangements in the Wakefield area.

We were told that it is intended to reduce what is called "duplication of services" and bring about a "centralisation of services" on one site or the other. My hon. Friends and I representing the Wakefield area feel that services will be lost to communities and removed elsewhere in the district or perhaps further afield, and that proper decisions have already been taken about that. I am worried about that and about the way in which the facts have emerged. I am also worried that health service managers in the area appear preoccupied with institutional change, perhaps at the expense of clinical concerns.

My hon. Friend the Member for Wakefield mentioned maternity care. I have in my possession a worrying document, a review of the case of a constituent, which I do not wish to go through in detail now; the Minister may be aware of it. It makes it clear that there are clinical, technical and managerial problems with paediatric care at Pontefract hospital yet, as I understand it, it has been proposed that there be an amalgamation and possibly a concentration of those services at Pontefract.

Consultant paediatricians considering the service in Pontefract have said that they have

"concerns about the overall staffing structure and establishment in the paediatric department".

They note that there are only three hospital-based consultant paediatricians and only one recently appointed community paediatrician. They say that

"there is no continuous safety net cover of an experienced resident paediatrician in Pontefract."

They say:

"At the present time, the safety net cover is provided by a Registrar and staff-grade doctor and"—

this is the important part of the sentence—

"for over 50 per cent. of the time there is no safety net provision available."

They continue:

"The overall staffing levels are inadequate to provide a fully comprehensive children's service to a population of this size, with 200,000 people, 2,300 births and 1,900 acute paediatric admissions per year . . . The absence of a continuous safety net cover does not allow high dependency or intensive care work to be undertaken, and yet we understand that this still takes place on occasion."

The events to which the document refers—I hope to take up the matter with the Minister privately in due course—took place more than two years ago. According to the report that was published only last week, little seems to have been done to improve the situation. However, the local health service has employed highly paid and highly skilled professional managers to organise the planned merger, whose objectives have to do with private capital. The document refers to

"the need to convince the private sector to reinforce to potential private sector partners the commitment to partnership rather than to clinical care".

We are seeking an early assurance that those discussions will cease and that an appropriate public consultation exercise will commence. In the meantime, I hope that the Minister will assure me that the eight recommendations of the consultant paediatricians in the report will be implemented immediately.

12.51 pm

The Parliamentary Under-Secretary of State for Health (Mr. John Horam): I am pleased to have the opportunity to respond to the hon. Member for Wakefield (Mr. Hinchliffe). I congratulate him on, once again, securing time to debate the important subject of health services in the Wakefield metropolitan district. This is the seventh time in five months that he has raised the subject, which reveals his assiduity.

I have noted also the concerns, which the hon. Member mentioned, of the hon. Members for Pontefract and Castleford (Sir G. Lofthouse) and for Normanton (Mr. O'Brien). I welcome the second speech of the day from the hon. Member for Hemsworth (Mr. Trickett), who I gather made a very good maiden speech. I noted his comments about Pontefract and paediatric care.

The hon. Member for Wakefield raised a number of points, and claimed that general practitioner fundholding in Wakefield had resulted in a two-tier system. He referred to increased resources for the national health service in Wakefield, and he and the hon. Member for Hemsworth expressed concern about the possible merger of the two acute trusts in the Wakefield area—the Pinderfields Hospitals NHS trust and the Pontefract Hospitals NHS trust. They questioned whether such a merger would be truly in the interests of patients and of improved health services.

The hon. Member for Wakefield also mentioned maternity services. I acknowledge his local concerns and those of Wakefield metropolitan district council. As he knows, I can claim a little local knowledge: although I am a Lancastrian, I had the good sense to be educated in Yorkshire, at Silcoates school, Wakefield. I therefore know a little about both Pinderfields and Pontefract hospitals.

The hon. Gentleman also asked questions about the resignation of the chief executive of Pinderfields Hospitals NHS trust, Mr. Peter Ward. I stress that that is a matter for the chairman and the board of Pinderfields Hospitals NHS trust, but I shall say more about Pinderfields later.

I shall deal first with resources. In May last year, the hon. Gentleman expressed concern in the House to my predecessor, the present Under-Secretary of State for the Home Department—my hon. Friend the Member for Bolton, West (Mr. Sackville)—about the fact that

[Mr. John Horam]

health resources for Wakefield health authority and Wakefield metropolitan district were being cut. For the 1996-97 financial year, which has just commenced, the allocation for Wakefield health authority is just more than £140 million—a cash increase of £4.3 million, or 3.2 per cent. It is also an increase in real terms.

The resources that Wakefield health authority will receive this year include, as in the previous financial year, an increase in both cash and real terms. It is wrong to suggest that, because Wakefield is a certain percentage above its weighted capitation target, there may be a cut next year or in any succeeding year. Real growth in health resources will probably continue in the years to come. If so, Wakefield will continue to receive more resources in real terms. I accept the hon. Gentleman's point about market forces, and I assure him that those elements of the capitation formula are kept under review.

Secondly, the hon. Gentleman referred to so-called two-tier services and expressed concern about the way in which the undoubted success of GP fundholding is impacting on patients in Wakefield. I assure him, once again, that there is no question of a two-tier service. We stand by our agreement with the medical profession: all emergencies are seen immediately and all urgent cases that cannot be seen immediately are placed on common waiting lists.

There will always be some variation in waiting times for non-urgent treatment between health authorities, as well as between health authorities and fundholders, because different purchasers set different priorities according to their assessment of local need within the national patients charter guarantees and informed by patients' wishes. It is open to health care purchasers to negotiate the best contracts possible on their patients' behalf. Many fundholders use efficiency savings to fund more hospital services for the benefit of patients of all local GPs. Having a range of purchasers stimulates innovation and the delivery of care for the benefit of all patients.

The NHS executive has followed up cases of suggested two-tierism, which have invariably proved to be cases of fundholders making use of spare capacity, purchasing more services and making more resources available. That benefits all patients. Fundholding is achieving not a two-tier system, but an improved health system. We want our services to be based on the standards achieved by the best, not the worst.

As recently as last Monday, my hon. Friend the Minister for Health visited the new Wakefield health authority to learn about Wakefield's pioneering plans to develop a primary-led NHS. He praised the work of the health authority and of local GPs on total purchasing, which builds on the success of fundholding. In Wakefield, 85 per cent. of GP practices are now fundholders. Fundholding has improved patient care in Wakefield through the provision of new services, including rheumatology, cardiology, a cataract centre and increased day case surgery. It has also had a marked effect on waiting times at the two acute hospitals. At Pinderfields, waiting times have been cut by 50 per cent. for general surgery, and by about 25 per cent. for ophthalmology; at Pontefract, orthopaedic waiting times are down by 42 per cent. That is real success.

I shall now deal with the question of a merger. With three of his colleagues, the hon. Gentleman expressed concern about Pinderfields Hospitals NHS trust and Pontefract Hospitals NHS trust in a press release issued last week following a meeting with the chairman and chief executives of Wakefield health authority and the two trusts. The hon. Gentleman is aware that, in early February, both the trusts and the health authority decided that it would be sensible to look at services across the two trusts and to work more closely together for the benefit of everyone. They expressed a wish to consider a possible merger of the two acute trusts. It is worth stressing the fact that Wakefield health authority believes that there is a need for two acute hospitals: one in Wakefield and one in Pontefract. I understand also that there is strong clinical support for a merger.

An examination of the options will, therefore, surely benefit patients in the Wakefield area. I reassure the hon. Gentleman and his colleagues that the proposal is at a very early and tentative stage. The next step is that the proposed merger will come to me, as the responsible Minister and, if I agree to it and the two trust want to go ahead, public consultation will follow later in the year. That will involve local people, including the two local community health councils that cover Wakefield and Pontefract. I am sure that hon. Members will be involved fully in that consultation exercise: they will have every opportunity to express their views and I am sure that they will not be slow in doing so.

Mr. Hinchliffe: I am concerned that consultation exercises do not mean a great deal, as assurances are not followed through. Does the Secretary of State or the Minister study assurances that were given in past consultation exercises of the kind that I have described to check whether they were carried through?

Mr. Horam: Such assurances are not given lightly, and they are taken seriously. I shall study past assurances that were given in this case when it comes before me.

The hon. Gentleman knows that Pinderfields is developing a business case for a major new development under the private finance initiative. Any proposals for merger will take that project into account, so there are two reasons for consultation. One is the possibility of a PFI initiative by Pinderfields, which I welcome, and the second is the possibility of merger.

Pinderfields Hospitals NHS trust is progressing PFI testing for redevelopment of the site to replace a fragmented configuration of buildings, many of which—as the hon. Member for Wakefield knows—are of poor quality. I have heard the hon. Gentleman—I agree with him—complain at great length about the age of some of those buildings. We want new facilities, if that is possible, not only for patients but for staff. I have seen for myself the huge improvement in morale that can result from new facilities, provided by whatever means. I am sure that the hon. Gentleman would wish to welcome that possibility.

The trust is making good progress and it should not be long before it selects the consortiums that will be invited to submit detailed proposals. There are some financial problems, as the hon. Gentleman is aware, but Pinderfields Hospitals NHS trust has made major progress in reducing waiting times and the length of waiting lists. In my view—

Mr. Deputy Speaker (Mr. Michael Morris): Order.

Sea Defences

1 pm

Mr. David Porter (Waveney): Approximately 8,000 sq km of land in England and Wales lie within 5 m of present sea levels. Britain already relies to a great extent on sea defence and land drainage. Some of the low-lying areas that are especially susceptible to rises in sea levels are the coasts of East Anglia, Lancashire, Yorkshire and Lincolnshire, the Essex mudflats, Sussex coastal towns, the Thames estuary, parts of the north Wales coast and the Clyde and Forth estuaries. Therefore, I am pleased to have the opportunity to raise the matter of sea defence and coastal protection before the Easter recess.

I have been applying for an Adjournment debate for some weeks now and I started at the time of the bad weather in February, which illustrated just how vulnerable is our coastline. I have just drawn a place in the ballot and it is a matter of luck getting a debate, just as to a large extent it is a matter of luck whether we escape major flood damage in any winter. This is a national problem, as I have said, but I have the greatest concerns for the coast of East Anglia. The worst of the winter and the unpredictable early spring weather should be over for now and our crossed fingers and hoping for the best got us through, but the wind is constant and the sea never sleeps—certainly not the North sea.

Erosion goes on all year round, sometimes unnoticed and sometimes dramatically. For many weeks of the year, a potent mixture of high spring tides and northerly winds can prove fatal. When the weather is severe enough—as it was most recently on the nights of 19 and 20 February—to describe the coastline as being at the mercy of the sea is no exaggeration. Sometimes aging sea defences are turned to rubble in minutes. Yards of sand cliff, battered and weakened by the wind, are literally blown out to be scoured away in the boiling surf of an angry North sea. Anyone who doubts the existence of God should stand and watch it.

Despite loss of land and some properties in Norfolk, in my constituency of North Suffolk and further south in Suffolk, most of the defences held, just, but it was close. Some of the Norfolk marshes were under salt water, some shingle banks disappeared and land at Kessingland and elsewhere in Waveney was lost.

Such problems are not new, by any means. The one-time city of Dunwich, which returned two Members to the House, is now merely a village. When the Lowestoft sea defences were built earlier this century, that accelerated the loss of half of Pakefield. When the 1953 flood defences failed, that claimed more than 300 lives and cost more than £900 million at 1989 prices to rebuild and strengthen. I remember walking as a boy with my father on the sea wall to the north of Lowestoft and looking out at the ruins of the sea wall on which he had walked with his father, in his turn, looking further out at the sea wall that was once there, and so on.

Very early after I was elected to the House in 1987, I raised sea defence issues in general and the case of homes at Easton Bavents in my constituency in particular. Houses were demolished moments before they fell into the sea and people lost everything, without benefit of insurance or compensation. So we know that the problem is not new. The east coast has suffered erosion and been in retreat for centuries. We might be tempted to ask why we have not sorted the problem out by now, but anyone who has seen the sea and wind at work will know that it cannot be sorted out for long.

After the 1953 floods, when there were no cash limits for Government Departments and no direct controls on local authority capital expenditure, money did not run out. The then Home Secretary, Sir David Maxwell-Fyfe, accepted the report by the departmental committee on coastal flooding and major sea defences were installed. Many have been upgraded and replaced since, but most of those that survive are coming to the end of their useful life.

Ideas change and technologies change. When I spoke in the late 1980s and early 1990s, I complained about the plethora of bodies around the coast responsible for sea defence and coastal protection. There were more than 200, ranging from major councils to small harbour undertakings. I argued that there should be a national plan on what to save, where, and how to defend it. I said that the plan should be funded centrally, and not disproportionately by coastal dwellers and taxpayers. After all, the Royal Navy defends all our people and not just those who live on the coast. Since then, we have moved on. Larger shares of the funding for schemes are forthcoming from central funds, rather than local. We have had the National Rivers Authority and now we have the Environment Agency as a one-stop national body with a strategic overview of coastal protection.

We have seen several local authorities with common interests working informally together, pooling resources and ideas and recognising the two universal truths—that the sea knows no authority boundaries and that one man's erosion is another man's beach enhancements. I must pay tribute to Terry Oakes, a senior officer of Waveney district council, who has been a driving force in this work and is an acknowledged expert. Why, he even knows more than I do.

So we have moved a long way. We have documents such as the shoreline management plan from the Ministry of Agriculture, Fisheries and Food, which is a guide for coastal authorities and pulls together the disparate strands. We have a guide to good practice by MAFF called "Coastal Defence and the Environment". The flood defence committees of the old National Rivers Authority are working well and the internal drainage boards are working on all the rivers that drain farmland into the sea. The NRA worked on river management ideas and the Environment Select Committee three years ago wrote a report on "Coastal Zone Protection and Planning". The National Audit Office is also watching coastal defence. With all that happening, we should feel confident that the events of 1953 cannot happen again, but even so we know that they can. Statistically, they probably will in our lifetimes.

What are the options for any given stretch of coast? One option is, of course, to do nothing, but in Norfolk, the motto is "du different". In parts of Suffolk and Norfolk, managed retreat—as it is fashionably called—is being considered as shoreline management plans are put together. Crumbling sand cliffs feed beaches further round or down the coast—beach nourishment. That is a more environmentally natural process, and it appeals because it is nature taking its course. It works with the natural process instead of trying to fight against it. Retreat, however, was not the Dutch approach. They pushed out into the North sea. I accept that in Britain it is acceptable

[Mr. David Porter]

for some stretches of our coast to have managed retreat, but which stretches? Where do we draw the line and how do we defend that line? Those are the crucial questions.

The second option is to continue rebuilding hard engineering structures, such as groynes and sea walls. Those are vital in many parts to protect housing and life, but no one has ever advocated encasing Norfolk, Suffolk and Essex in a concrete defence fortress. The third option is to break the power of the waves offshore—for example, with rocks from Norway or elsewhere. That is happening and is certainly useful, but rocks have no impact on the wind's destructive power. I suggest that more work needs to be done on artificial reefs—for instance, those made with compacted household or industrial waste—to lessen wave power. I say that at the same time as I acknowledge the work done by the Ministry of Agriculture's Advisory Committee on Flood and Coastal Research and Development, which long ago argued for improved methods of design and operation and the need for collaboration between scientific disciplines, funding agencies and overseas research teams.

In so far as there is an answer, it is in working towards a national strategy put together locally and incorporating a mixture of defences and managed retreat. The local consultations are a vital part of that. People place, not surprisingly, the highest priority on saving their lives and homes. Urban areas need high protection and good, well-understood and practised early-warning systems. Stopping new building near the sea helps, of course. But I come back to the crucial questions: where do we draw the line and how do we defend it? In parts of Waveney, eventually, the A12 trunk road—our economic lifeline—will become the line. How do we defend a trunk road against the sea?

Two years ago, in describing the state of our coastal defences following a coast protection survey of England, my right hon. Friend the Member for South-West Norfolk (Mrs. Shephard), in a written answer, stated:

> "The survey also identified some 135 km of unprotected coast which is at present significantly eroding and where the provision of works may need to be considered within the next 10 years."—[*Official Report*, 30 March 1994; Vol. 240, c. 770.]

Times move on, and with sea defence, time is not on our side.

Three other aspects must be borne in mind, especially in respect of the North sea. Last week, together with my right hon. Friends the President of the Board of Trade and the Secretary of State for the Environment—in his capacity as the Member of Parliament for Suffolk, Coastal—I attended the official opening of Sizewell B. That superb occasion crowned a civil engineering project greater even than the channel tunnel, putting in its place, as part of the nation's economic engine, a triumph of British engineering, design and build—a nuclear power station.

As a correspondent of the liaison committee and the neighbouring Member of Parliament—many of whose constituents work at Sizewell A and B, while others helped to build them—for a constituency that takes the safety of those stations seriously, I have a copy of the Suffolk local authorities' emergency plan. That excellent document inspires real confidence, and I do not condemn it when I say that its coverage of disaster caused by sea flooding is almost nil. There are emergency plans for contamination, radioactivity and evacuation—not for overrunning by an angry North sea. That is understandable, but it means that the integrity of those power stations and of Sizewell C—which I hope will be built one day—must be guaranteed for ever. That provision must be built into the management shoreline plans for the future. If the protective sandbank of Sizewell were ever to be dredged, the credibility of those stations would be in question.

There are currently eight different licensed companies operating 2,000 to 8,000 tonne dredgers on our offshore sandbanks. I do not knock that industry. On the contrary, it is a valuable part of our local and national economy, and it makes a useful contribution to the Exchequer. The demand for aggregates for roads and buildings of 5.5 tonnes per person per year is insatiable, and those aggregates must come from somewhere. Thirty per cent. of that tonnage comes from the East Anglian coastline. I know about licensing, safeguards and agreements to cause minimum disruption to fishing, but many people feel that the rapid increase in erosion of the North sea coastline over the last 15 years is far greater than can be ascribed to natural factors or even global warming. Dredging must have an impact, even in an lively, undercurrent-strong, relatively shallow sea such as the North sea.

That impact must be felt on sea defences, fishing, and the beach and holiday industries. That impact may be accelerating, and further studies are needed—particularly as a large amount of our offshore sand is sold to Holland, which has stricter restrictions on offshore dredging because of that country's sensitivity to flood prevention.

In addition to the risks created by erosion and subsequent flooding that I touched on, whatever the mixture of causes, we have a lot of high-grade agricultural land. Given the uncertainties of the global food supply, it would be a madman who said that we have too much land in Britain and will have for ever, from here on in.

Other industries put pressure on the sea, such as gas and oil extraction—although I am not saying that they cause erosion, because clearly they do not. However, management plans must take account of all the uses to which the North sea is put, the pressures that it is under naturally and from man, and take a view—which should be built in to defence protection—of proposed future industrial uses.

I say that with my hon. Friend the Member for Great Yarmouth (Mr. Carttiss) in his place. I cite the example of the much-trailed outer-harbour scheme for Great Yarmouth, which must be properly assessed for its coastal erosion potential for my constituency, to reassure my constituents, who are concerned about the coastline between Corton and Hopton, not to mention the economic impact on Waveney, before any more false hopes are raised on that great white hope—or great white elephant, which might be an more appropriate description.

I argue for a national strategy that is devised locally with agreed defence lines, and for fair compensation for everybody who is on the wrong side of the defence lines; proper debate of the appropriate mix of defences in each area; and national funding of all sea defence works, coastal protection and river flood works.

Mr. Nick Hawkins (Blackpool, South): My hon. Friend has given an excellent exposition of all the issues, to which the Minister is about to reply. Does he agree that many of the issues relating to the North sea apply to many

other coastal areas, including my own? My hon. Friend the Minister has been most helpful in dealing with the urgent problems of south Blackpool shore—many of which have commonality with the problems of my hon. Friend's own constituency.

Mr. Porter: My hon. Friend is right to remind me of the national impact of coastal defence. I mentioned that at the beginning of my speech, but have concentrated on my own area of East Anglia. I am asking for a national sea defence plan that is devised locally. Blackpool's different concerns should be incorporated in such a plan.

Any confusion about the new Environment Agency reporting partly to the Department of the Environment and partly to MAFF should not be allowed to take hold and be a permanent problem—or be a scapegoat for inaction.

Coastal defences should be at the forefront of MAFF's action files during the summer, to build public confidence for next winter. If the sea had got into the Broads in February, or had taken lives and more homes in Suffolk and Norfolk, it would have been an environmental, economic and human tragedy that would have made the Sea Empress disaster look like a teddy bears' picnic.

1.15 pm

The Minister for Rural Affairs (Mr. Tim Boswell): My hon. Friend the Member for Waveney (Mr. Porter) has set out his concerns and those of his constituents with his customary force and feeling. I am delighted that he was supported in doing so by my hon. Friends the Members for Great Yarmouth (Mr. Carttiss) and for Blackpool, South (Mr. Hawkins). My hon. Friend the Member for Waveney has taken a keen interest in coastal defence issues over the years and holds strong views on how they might be organised. I am responding as the Minister with responsibility for flood and coastal defence policy.

I was growing up in Essex at the time of the 1953 floods, and I appreciate that the damage and distress that flooding causes, and the direct loss of land and property caused by coastal erosion, are, understandably, highly emotive subjects. My hon. Friend is right to bring them to the attention of the House. Even in cases where life and limb are mercifully not lost, the damage and distress that is sustained by those affected is often severe—and not just in economic terms. Apprehension of potential effects is also serious.

Although natural events such as flooding and erosion can never be entirely prevented, it is obviously right that the public authorities that are empowered to take measures to reduce the risk take action where it is reasonable to do so. As my hon. Friend is aware, the Ministry of Agriculture, Fisheries and Food has overall responsibility for flood and coastal defence policy in England.

Rather than respond in detail to each of my hon. Friend's constructive points today, I give him the assurance that I shall reflect carefully on them and reply in due course. My hon. Friend will be aware that some measure are already in place—for example, with marine dredging, through the Government review procedure, and the potential for compensation for certain kinds of coastal defence measures. However, MAFF has the overview, and is pleased to discharge that responsibility.

The planning, design, construction, maintenance and operation of defence measures is undertaken by a number of operating authorities. The new Environment Agency, which came into being this week and assumed all the functions of the National Rivers Authority, supervises all matters relating to flood defence in England and Wales. Through its regional and local flood defence committees, the agency can take action to reduce the risks of flooding from designated rivers, which are called main rivers, and the sea.

Internal drainage boards, of which there are 235 in England, have powers to implement measures to alleviate flooding in districts with special drainage needs, such as the Fens, other than on main rivers. Local authorities may carry out works on water courses other than main rivers and on those in internal drainage board areas, to alleviate flooding from rivers or the sea. Maritime district councils have powers to protect the land against erosion or encroachment by the sea.

The financing and administration of that work was considered in a consultation document issued in 1985, which raised the question of whether the powers of local authorities should be transferred to the then water authorities. In the light of the responses received, the Government decided that, although such an arrangement would have the benefit of administrative tidiness, on balance it was better to retain the existing arrangements. That decision has been reviewed twice. On each occasion, we concluded that no changes of substance should be made, and that conclusion was endorsed by Parliament when enacting the Water Act 1989 and establishing the Environment Agency in the Environment Act 1995.

Flood defence work is essentially long-term, and it was important that there was continuity when the Environment Agency took over from the National Rivers Authority. I can give my hon. Friend the assurance he seeks about continuity in that respect.

As I have said, we believe that the present system is effective. Maritime councils, like Waveney, and the National Rivers Authority have a proven record of achievement on coastal defence issues. Also, it is important that local authorities, which are accountable to local people and have detailed knowledge of local issues, should be involved in key decisions about coastal defence works for their areas.

However, although the pattern of differing operating authorities has remained largely unchanged, thanks to the perceptions that my hon. Friend and others have brought to the matter, a more integrated and strategic approach to sea defence and coast protection has been developed over the past decade. In 1985, responsibility for coast protection was transferred to MAFF, and, since then, both sea defence and coast protection draw on the same administrative arrangements and engineering expertise, and have benefited from a common policy lead. In 1993, the Ministry and the Welsh Office published a strategy for flood and coastal defence—I know that my hon. Friend is aware of it—which sets out a comprehensive framework within which Government and operating authorities can work.

We positively encourage operating authorities to take a strategic approach to flood and coastal defence problems and to consider a wide range of possible options for their circumstances. Naturally, individual authorities must consider the possible impact that defence measures may have on neighbouring areas, and that is particularly important on the coast. We therefore encouraged the setting up and operation of coastal groups, now numbering 18. These groups provide a forum for discussion and

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co-operation and help to ensure that coastal processes and activities taking place within particular stretches of coast are taken into account when reaching decisions.

To assist the operating authorities in the coastal groups in strategic management of each stretch of the coast, MAFF has encouraged the preparation of shoreline management plans and has issued guidance on their preparation. The aim of the plans is to provide a basis for sustainable coastal defence policies and to set objectives for the future management of the shoreline—much along the lines that my hon. Friend is advocating.

The completion of a plan should, inter alia, allow assessment of strategic coastal defence options, and inform the statutory planning process. Plans should be the subject of wide consultation with all bodies with an interest in the coastline. As my hon. Friend will know, Suffolk Coastal district council and Waveney district council are continuing to attach a high priority to the development of a plan for the stretch of coast between Lowestoft and Harwich.

The groups also play an important role in integrating these shoreline management plans with the work of local planning authorities. It is important to avoid creating problems in the future by discouraging inappropriate development in flood risk areas or on unstable coasts. Planning aspects play a key role in coastal defence and this will be even more important in the future as sea levels are expected to rise.

I hope that my hon. Friend will appreciate that the Government recognise the interdependence of competing pressures within the coastal zone and attach great importance to maintaining a national perspective.

Mr. Hawkins: When looking at competing pressures in coastal areas, will my hon. Friend and his officials take account of the difficulties that people who live on, or have businesses near, a coastline with a record of flooding face when obtaining insurance? That problem affects the constituents of many hon. Members.

Mr. Boswell: I appreciate my hon. Friend's point. That is exactly the kind of consideration that can be fed into the economic appraisal which we carry out when evaluating schemes.

It is clear that policies on coastal defence should reflect and support wider coastal policies set out in statutory development plans and coastal zone management plans. The Environment Select Committee, in its 1992 report, expressed concern about the possibility of a sectoral approach to coastal policy. That is why the Ministry makes it clear that the management plans should take due account of other coastal initiatives. Equally, those plans will be an important source of information to other local plans such as development plans.

It is important to recognise that, given the tremendous diversity of coastal formations, there can be no uniform approach to coastal defence. Coastlines recede or advance with changes in current, wind and tide. It is therefore unrealistic to expect to maintain every inch of coastline as it is now. Instead, authorities must look at a range of options and consider the impacts of defending a particular stretch of coast so as to avoid, wherever possible, burdening future generations with the maintenance of unsustainable defences.

The Government's commitment to effective coastal defences remains unchanged, but the techniques for putting that commitment into practice are constantly evolving and improving. We now have a much better understanding of natural coastal processes and other conditions on which to base our policy. Whereas past defences often consisted of concrete sea walls, experience and recent research, much of it funded by the Ministry, has shown that techniques which simulate natural features, such as beaches or salt marshes, can be more effective in absorbing wave energy. Such methods are often better technically, as well as more cost-effective and environmentally acceptable, than traditional hard defences.

There has been some interest in the use of managed retreat in relation to coastal defence. That may be, as my hon. Friend said, the fashionable phrase, but I would prefer to call it managed setback. By that, we mean a deliberate decision to realign the existing line of defences in order to achieve environmental and engineering benefits. As such, we see it as one of the range of options for consideration in rural coastal areas. It may or may not prove to be the preferred option, depending on local circumstances. Its advantages can include the creation of a foreshore which, by absorbing the energy of the sea, will form part of the new line of defence. It may also enable the creation or recreation of intertidal habitats. I emphasise that there is no central Government policy to impose managed set back. It depends very much on local circumstances and the planning to deal with them.

I have spoken so far about the policy guidance that MAFF provides, but our assistance also has a tangible form in terms of the significant contribution that we make to the funding of defence measures promoted by operating authorities. We have two functions: the overall planning function, and the financing function. The Ministry provides grant aid to flood and coastal defence authorities for capital works which are technically sound, economically worth while and environmentally acceptable. Last year—1995-96—the Ministry grant for inland and coastal works was some £78 million. As my hon. Friend knows, the coastal problems in his constituency are primarily of erosion rather than flooding. The relevant coast protection authority, Waveney district council, has promoted a number of schemes, to which the Ministry has contributed some £3 million of grant in the last five years.

I believe that my hon. Friend has performed a service to the House by deploying his expertise in the debate on these issues today. I have done my best to set out the arrangements whereby the Ministry provides the policy lead and the framework for a strategic approach to coastal defence. Then the Environment Agency, and the other operating authorities in their defined spheres of operation, can carry forward that strategy through their local operational responsibilities, with a strong local component in their planning, execution and democratic accountability.

I contend that, despite the seeming complexity of these matters to those not directly involved or to those who are not practitioners in the field, the arrangements work effectively towards an important purpose: reducing the risk of flooding and erosion to the constituents of my hon. Friend and of many others. At the same time, they are designed to avoid clashing with, or damaging, the developed, the built or the natural environment.

It has been a pleasure and a privilege to debate these important matters today.

Uniform Business Rate (Wales)

1.29 pm

Mr. Cynog Dafis (Ceredigion and Pembroke, North): I am very glad to have this opportunity to draw attention to the pressing need for action to help the many small businesses currently being driven to the brink of bankruptcy and beyond by the business rate system.

Launching its campaign against the uniform business rate in October last year, the Federation of Small Businesses described this tax as a "killer rating system", and it is right: the UBR is killing many small businesses—shops, garages and other smaller enterprises—which, given a fair chance, could grow into the viable and valuable firms that Wales and other places need.

Business failure in the small firms sector remains a significant problem. The federation estimated that, in the first six months of 1995, no fewer than 194,000 small businesses in the United Kingdom closed their doors, and many of them were helped on their way by the UBR. Although there has been a decrease in the number of business failures in the United Kingdom, I am afraid that the trend in Wales has gone the other way, with Touche Ross recording a 20 per cent. increase in the number of receiverships in Wales between 1994 and 1995.

Those facts are the background to this call for urgent action right now to relieve businesses in Wales and elsewhere from the crushing burden of an unfair and damaging system. The evidence of the damage done by the system is all too clear in all parts of Wales—north and south, rural and industrial—and in the other nations of the British Isles. The casualty rate among vital economic enterprises is especially severe in rural Wales, which already suffers from higher rates of unemployment, lower than average wages and outward migration. Moreover, rural Wales is now also threatened by an immense potential economic crisis as a result of the BSE situation.

A few examples may help to translate general principles into concrete instances. A business in Ynys Môn has found its trade greatly reduced because of changed traffic flows through the port of Holyhead; yet that reduction in trade has not resulted in an adjustment in its business rate bill, which stands at £6,768. The result has been the loss of four jobs in an area which is an unemployment black spot.

The first objection to the business rate is that it is a job killer. It kills small businesses and reduces employment in the few that survive. So why did the Government introduce it? I wonder whether the House recalls who it was who said on 11 March:

"Small businesses are not some minority interest—they are the backbone of our economy and the main source of future jobs".

It was the Prime Minister, of course, and he went on to promise the removal of unnecessary shackles from business. Words are one thing, however, and removing unnecessary shackles is another—but replacing the UBR really would really make a difference.

Our second objection to the UBR is that it is unfair. It hits the high street shops of our towns while favouring out-of-town hypermarkets, which are becoming more and more evident and influential in the economy of rural Wales. The UBR has increased the difficulties of smaller shops and added to the pressure for increased use of private cars. There is therefore also an environmental dimension, and there is considerable concern as a result of reports yesterday that the Secretary of State is unwilling to try to control the growth of out-of-town or edge-of-town supermarkets in Wales.

I will give an example of the effect of the UBR in the market town of Cardigan in my own constituency. A warehouse there found its rateable value increased from £1,400 to £1,800 in the recent revaluation. Another business, a local carpet shop, found its rateable value increased from £6,480 to £8,200, causing its UBR bill to rise from £2,640 to £3,321—an increase, before transitional relief, of more than 25 per cent., which is vastly in excess of inflation. That business already had difficulty meeting its bills, but it now has arrears of £6,000 to add to this year's bill. Unfortunately, that example is typical of a situation which is becoming cumulatively more difficult.

A business management consultant acting for that business appealed on its behalf to the valuation office in Carmarthen for a reduction in rateable value, but to no avail. The consultant—Mr. Gonzalez of Pwllhai, Cardigan—made eight such appeals two years ago, but none was allowed. As a result, five of the eight enterprises closed. He has made 14 appeals this year; one wonders how many of those businesses will still be open 12 months from today.

The alleged basis of the business rate, according to schedule 6 of the Local Government Finance Act 1988, is that it should

"be an amount equal to the rent at which it is estimated the hereditament might reasonably be expected to let from year to year".

But how can the current rate be justified when it is now many times the rent which could be obtained? Currently, the rent of a small office in Cardigan could be as little as £5 per week.

In Denbigh, Clwyd, 22 local traders attended a meeting in July, organised by Councillor Gwyneth Kensler, to discuss the rate increases. One of the traders, who runs a shoe shop, was quoted in the Denbigh *Vale Advertiser* as saying:

"These rates are crippling. Based on their assessment I'm meant to be able to attract a rent of around £300 a week on my property—the truth is I'd be struggling to make £100."

Traditional shopping centres are also suffering, and not only in the rural west and in the valleys. In the village of Dinas Powys, for example, just five miles from the centre of Cardiff, local shopkeepers have recently written to the Vale of Glamorgan council calling for a reduction in this year's bills. The signatories include a hairdresser, a travel agent, a pet shop owner, a greengrocer, a newsagent, and the operators of a grocer's store, a souvenir shop, a linen shop and a post office; such are the many types of business under pressure.

It is clear that the 1995 revaluation has made the situation much worse. The average increase in rateable values in Wales was 25 per cent., with particularly large increases for offices and warehouses. But the rateable values bear no relationship to today's real economic circumstances, where falling rents are not a statistical theory but a market nightmare and a reality. Although the multiplier used to work out the actual bills from the

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rateable value was reduced for last year's bills, and will stand at 40.5p in the pound for Wales next year, the net result has been to drive bills upwards.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): My hon. Friend may know that I made representations last year to the Development Board for Rural Wales, asking it to lower commercial rents in mid-Wales. It agreed because the market reflected such a move, which is exactly what my hon. Friend is saying. I agree with him entirely.

Mr. Dafis: That demonstrates the reality of the commercial circumstances in rural Wales.

The net result of the multiplier has been to drive bills upwards to such an extent that the Government have been obliged to introduce transitional relief for the second time since 1990. The fact that transitional relief is necessary is an admission that the whole system is defective—and ultimately transitional relief means just that, because traders face the prospect of their rate bills being driven up to the target level in the next five years.

What justification is there for increasing bills by as much as 10 per cent. when the inflation rate is 2.5 per cent.? Last year, overall receipts from the business rate went up from £478 million in 1994-95 to £516 million in 1995-96—an increase of 7.8 per cent., which is more than twice the rate of inflation.

On 4 March, members of Pwllheli town council resolved to write to my hon. Friend the Member for Caernarfon (Mr. Wigley) to express their great concern at the number of empty shops in the town. It is worth reading some of the letter, written by the council clerk, Mrs. Mair Williams, and translated into English. She said that business rates are much too high and that

"the rates of small shops in the High Street are higher than those of large shops and those on the outskirts of the Town. We fear that reorganisation will lead to a still greater increase in the rate. We understand that it is Government policy not to build more out of town hypermarkets but they are still going up.

The Council asks is it possible to get rid of the business rate which is as unfair as the 'Poll Tax' some years ago, in order to see High Streets of our Towns prospering once more."

I remember that, at the time of the poll tax campaign, many people felt that too much attention was diverted from the problems caused by the UBR, which was introduced at the same time.

The smaller shops have the strongest complaint, because the present system is loaded against them. High street shops are valued according to a zoning method which assumes that the front part of the shop, which includes the entrance and shop window, is the most valuable. Small shopkeepers find that method unfair as their rates are proportionately higher than larger shops, including hypermarkets, which have a smaller proportion of their total retail space in those higher-value zones because most of their space is behind the frontage.

Our third objection to the UBR is that it is a flat rate burden placed on business properties, without any sensitivity to the ability of the business to pay. That has always caused a problem, but it acts in a particularly negative way in two specific cases.

The first set of circumstances is where a business may go through a bad patch, sometimes for reasons outside its control—for instance, a major road scheme may prevent passing trade from calling at the premises. I recognise that in those circumstances there are powers under existing legislation for local authorities to give assistance towards the cost of the business rate, provided that it is not a long-term subsidy. That assistance helps the business to bridge a limited time of difficulty and is offered where the business has every prospect of being run in a viable manner thereafter.

Unfortunately, many of the old district councils in Wales are either unaware of those powers or reluctant to use them. I am glad to say that the borough of Taff Ely, during the five years when it was run by the coalition led by Plaid Cymru, used those powers and enabled at least half a dozen small businesses to survive which otherwise might not have done so. I therefore wish to press the Secretary of State for Wales and the Minister to bring to the attention of the new unitary authorities the fact that those powers exist and to encourage them to use them where appropriate. I assure the Minister that that help really is necessary. Mr. Gonzalez, to whom I referred earlier, also presented appeals to three district councils for hardship reductions under section 49 of the Local Government Finance Act 1988, but without any success.

The recent rural White Paper for Wales refers to the need for fresh guidance on that scheme and for a new rate relief scheme for general stores and post offices in villages. We welcome that relief because those shops are in a special category, but the towns are in the front line as well and a more wide-ranging review should be conducted.

Another set of circumstances reveals the need for a similar flexibility, but local authorities appear not to have the necessary powers. I refer to the position of small businesses starting up for the first time. Usually, the first year or two of any business venture proves expensive, with income building up only gradually. There is therefore considerable pressure on cash flow. If it were possible for a business taking over a property liable to pay UBR for the first time to be allowed a UBR holiday for the first 12 months or even two years, one of those disincentives would be removed. That must surely be good for everyone, not least those towns which currently have increasing numbers of empty shops and where local morale as well as local business would be boosted by new enterprises taking over those premises.

I understand that there are different opinions as to whether a local authority is empowered to operate such a scheme, and I should be grateful if the Minister would confirm whether such schemes may be set up by the new unitary authorities in Wales. If the new local government legislation is unclear on this matter, may I press the Minister to introduce the necessary amendments to that legislation to enable unitary authorities so to act? If such a power does exist already, may I press the Welsh Office to distribute a circular to the new authorities, drawing their attention to it and urging them to use it?

The Minister may reply that the unitary authorities can act on one or other—or possibly both—of the two suggestions that I have put forward, but that they have to pay for those initiatives out of their own discretionary resources so that the total UBR fund collected by the Welsh Office is not reduced. That would be unacceptable. After all, if the provision of a business rate holiday

scheme succeeds, shops that were previously standing empty will be filled, and the UBR fund in future years will be that much better off. At the very least, the Welsh Office should therefore agree to fund 50 per cent. of any such reduction or business rate holiday. Alternatively, it should allow the local authority to retain the entirety of the business rate paid in future years by a business which has been helped in that way.

I put forward those ideas in the context of the existing UBR and make no apology for focusing on the real needs of small businesses this year. There is an urgent need for action, but help is also needed now for businesses that are confronted with large arrears. It is the Government who have landed them with those bills in the first place and have limited the freedom of local authorities to raise money. The Government therefore have the duty to provide local councils with the necessary cash to enable them to use their discretion to write off many of those debts.

Plaid Cymru's basic position is that the UBR system should be scrapped and replaced by a system geared to local income tax. We have advocated that system consistently for many years. We propose the abolition of the council tax and the UBR. Under our system, limited liability companies would pay an incorporation tax based on company profits. Small business owners or partners would be exempt as they, along with other people, would pay a local income tax set by the local council but administered through the Inland Revenue system. Plaid Cymru also supports a property tax for second homes and the transfer to local authorities of part of the VAT take in their areas.

I emphasise the importance of the small business sector. Profits from small businesses circulate in the local economy. They often source locally and they certainly use local services such as solicitors, accountants and banks. In that way they increase the linkages within local economies which contribute so greatly to the vitality of those economies. Their behaviour is in stark contrast to that of the supermarkets and other multiples which siphon wealth out of the local economies on a huge scale.

Plaid Cymru sees the need for radical, urgent action in the short term. I hope that the Minister can offer us some comfort.

1.45 pm

The Parliamentary Under-Secretary of State for Wales (Mr. Gwilym Jones): I am glad that the hon. Member for Ceredigion and Pembroke, North (Mr. Dafis) has given me the opportunity to discuss the important matter of business rates.

I should perhaps begin by recalling why six years ago we abolished locally set rates. In the 1980s, rates in England and Wales rose on average by 37 per cent. above inflation when many local authorities chose to load the costs of high spending decisions on to businesses because they knew all too well that businesses had no vote. We can see that happening again as Wales is being caned by increases in council tax of up to 25 per cent. The difference between the much lower increases of last year and those of this year is that this year there are no elections in Wales to hold those councils accountable.

By 1990, under the old business rates, the poundage in Wales ranged from 241p to 334p. Businesses were unable to operate on an equal basis—a position exacerbated by the fact that values were outdated, going back to 1973. Unpredictable annual increases in rates made it impossible for businesses to plan ahead. The business community was vociferous in its complaints about the local rating system and pressed for change to national arrangements.

The uniform poundage for Wales means that businesses throughout the Principality are now treated on an equal basis. Five-yearly revaluations provide that rateable values are reviewed and updated regularly. Year on year, between revaluations, the poundage cannot rise ahead of inflation. In a revaluation year, the poundage is set to raise the same amount in real terms as in the last year of the old list. Those arrangements give the business community certainty and it does not want to return to the old rates system.

The starting point for rating is any actual rent paid on the property itself. For the 1995 revaluation, occupiers were asked for details of the rents they were paying. The evidence was used to assess the open market rent, which takes account of any incentives given to occupiers such as a lump sum payment or a period when no rent is payable, and any other special considerations. It is therefore possible that a business's rates could be higher than its rents in special circumstances. Nonetheless, it is important that values are assessed fairly. Before setting the rateable value, the valuation officer examines the rental evidence for similar properties in the area and ensures that rateable values are consistent. Data collected by the Valuation Office Agency show that, in the hon. Gentleman's constituency, shop rents rose between 1988—the valuation date for the 1990 non-domestic rating list—and 1993, contributing to a rise of some 25 per cent. in rateable values for shops in Ceredigion.

The hon. Gentleman mentioned the differences between town centres and out-of-town areas. I assure him that the system of assessment is carried out on the same rentals basis for both types of area. The hon. Gentleman strayed into planning issues, and I have to remind him that planning is a matter for the local planning authority. We have set out clearly in our new guidance the sequential approach—when considering shopping developments, local planning authorities should look first at town centres, only then at edge-of-town centres and only then at out-of-town centres. At the same time, they should have regard to the effect that out-of-town developments have on existing developments.

I acknowledge that rates are a tax on property rather than on individual businesses. The rental value of property does not reflect the profitability of a particular business, but rates do reflect the rentals that occupiers are able to pay. The hon. Gentleman's party argues for a different basis for local taxation of businesses. As the hon. Gentleman said, his party proposes a local income tax and an additional contribution of corporation tax by limited companies. However, he would have to consider whether that would mean that local businesses were making a contribution to the cost of local councils. I believe that they should, but it would depend on the location of their head offices.

Another difficulty is that of, in effect, relating local tax to profits, which would be very burdensome. Profits vary from year to year. The tax would be complex, it would provide no certainty for businesses, and it would remove links between local authorities and the business community. Nor do I believe that such a change would find favour with the business community. The hon. Gentleman may care to reflect on the recent report by Dun

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and Bradstreet, which states that firms in Dyfed are the most profitable in the United Kingdom—so a tax on profits could have serious consequences for his constituents.

The overall effect of the 1995 rating revaluation was a 20 per cent. increase in rateable values in Wales. Given the requirement that between revaluations the rates yield should be broadly the same in real terms, the poundage for Wales fell from 44.8p to 39p. Some 59,000 ratepayers were expected to face rateable value increases while some 21,000 were expected to have decreases. We therefore, very naturally, introduced a transitional scheme—I was surprised by the hon. Gentleman's opposition to it—along the same lines as the one applied in 1990, so as to spread the increases over the five-year life of the rating list. As a result of the transitional arrangements, no business faced an increase in its rates bill of more than 10 per cent. plus inflation.

We were especially concerned to help small businesses. For properties with a rateable value of less than £10,000, increases were limited to 7.5 per cent. in real terms. For small composite properties consisting of business and private accommodation, increases were limited to 5 per cent. in real terms. From 1996-97, the Government have made that help to small businesses even greater: small composite properties will be limited to real terms increases of 2.5 per cent., other small properties to increases of 5 per cent,. and larger properties to increases of 7.5 per cent.

The total cost of that extra help in Wales is around £8 million for each of the next three years. The arrangements particularly favour small retail businesses, including sub-post offices and village shops. For the 1995 list, the transitional arrangements continue to apply even when premises have a change of occupier. The transitional arrangements are also of particular benefit to businesses in Ceredigion, where just under two thirds were in transition to higher bills in 1995-96 as a result of the 1995 revaluation. On average, shops in Ceredigion have seen a real-terms increase in rates bills of 5 per cent. in 1995-96.

Mr. Dafis: I should make it clear to the Minister that I was in no way expressing opposition to the idea of transitional relief. I was merely saying that the fact that there is a need for such a mechanism shows that the system is seriously flawed.

Mr. Jones: I do not accept that. It relates to rental values, and it moves as the rental values move—not independently or arbitrarily. That is why, so long as we maintain a rating system of a tax based on property, we need to have the greatest consideration for small businesses and to establish transitional arrangements at the time of changes in valuation. The five-year period means that there are greater changes, but in itself it gives greater certainty to businesses because they can plan ahead rather than having to face changes perhaps every year, or as often as the hon. Gentleman's party suggests.

The hon. Gentleman asked about the opportunities for local authorities to give discretionary relief on hardship grounds. They are able to do so—there is no difficulty about that—but I know what he means about the limited use of hardship relief in Wales. More than £1 million was offset centrally from the rates pool in 1994-95 to cover all discretionary reliefs, including relief for charities and other non-profit-making bodies. Of this, however, only about £10,000 was for hardship relief, with only 15 out of 37 authorities granting such relief.

The Government, too, are concerned and are reviewing the situation, asking billing authorities about their policies and asking ratepayers for their views on how the relief provisions are being used. We will consider what action is needed in the light of that assessment, but it is likely to include identifying examples of good practice and issuing new guidance.

I believe that businesses are far better off under the system of uniform business rates than under either the old rating system or the system of local taxation that Plaid Cymru favours. Businesses have the assurance that there will be no real terms increases in their rates burden to finance extra expenditure. Indeed, in the previous five Budgets, the Government have committed a considerable amount of additional transitional relief to ratepayers, which means that, overall, in real terms ratepayers pay less in rates than they did in 1989-90.

The transitional relief arrangements and the review of the hardship arrangements show that the Government take careful account of the needs of small businesses. Our concerns for such businesses are also clear from the proposals set out in the White Paper, "A Working Countryside for Wales", in which we propose to provide additional relief for village shops and post offices. I was glad to have the hon. Gentleman's welcome for that. We shall shortly be issuing a consultation document, seeking views on the conditions which should attach to the relief in terms of the location, size, purpose and importance to the community of the shops concerned. I expect large parts of Wales to benefit.

As I have been at pains to stress, the Government take the concerns of small business about the business rate very seriously. We have listened to what small firms have said on this issue in the recent "Your Business Matters" series of conferences, one of which was held in Cardiff last November. At the national conference for small business on 11 March, the Prime Minister said that we are prepared to consider whether sensible changes could be made to make the business rating system fairer and more transparent. All the concerns of small businesses are under active consideration. I invite the hon. Gentleman to watch for developments in the coming months.

It being four minutes to Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Sitting suspended, pursuant to Standing Order No. 10 (Wednesday sittings), till half-past Two o'clock.

Oral Answers to Questions

FOREIGN AND COMMONWEALTH AFFAIRS

Hong Kong

1. **Mr. Waterson:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the People's Republic of China over the handover of Hong Kong. [22610]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Malcolm Rifkind): I visited Peking in January, and had useful discussions with the Chinese President, Prime Minister and Foreign Minister about Hong Kong.

Mr. Waterson: Will my right hon. and learned Friend lose no opportunity in stressing to the People's Republic the benefits to both the people of Hong Kong and the People's Republic itself of a smooth transition in the handover of power, and the benefits of inheriting an honest, reliable and efficient Administration? In particular, will he try to discourage the People's Republic from making statements that might create divided loyalties among public servants?

Mr. Rifkind: I agree very much with what my hon. Friend has said. The Hong Kong civil service has an unparalleled reputation not just for its competence and professionalism, but for its political impartiality and integrity. I believe that any attempts from any quarter to seek loyalty commitments would be not only inappropriate, but highly damaging to confidence in Hong Kong among some of the colony's most loyal servants.

Mr. Robin Cook: Can the Foreign Secretary confirm that the preparatory committee has now said that only 15 of the present members of the Legislative Council are likely to remain members after the handover? Is he aware that that falls dramatically short of the hope that China might make only minor changes to LegCo, and that it has dismayed supporters of democracy in Hong Kong? What assurances did the Foreign Secretary seek in Beijing about the future of LegCo? Given that the current council was elected under arrangements chosen by Governor Patten, with the support of our Government, what steps do the Government propose to ensure the continuity of LegCo beyond the handover date?

Mr. Rifkind: The Chinese Government's position is not even as the hon. Gentleman has described it. The Chinese Government do not intend LegCo to have a future after June next year, and they have consequently announced their intention of creating a provisional legislature. We consider that reprehensible and unjustifiable. Moreover, any problems will be compounded if none of the representatives of the majority of the electorate in Hong Kong are invited to serve in the provisional legislature.

It would appear from what has been said so far about the composition of the preparatory committee that none of the representatives of, for example, the Democratic party are being invited to participate. That is to be condemned, and I hope that the Chinese Government will give further thought to what will be necessary to ensure the continuation of confidence.

Mr. Sims: Will my right hon. and learned Friend remind the Chinese Government and the people of Hong Kong that, although we shall no longer have administrative responsibility for the territory after the handover, the British Government and the House will continue to take a close interest in Hong Kong's affairs?

Mr. Rifkind: Of course we shall do so, both because of our ethical obligation to the people of Hong Kong and because of our continuing massive commercial and financial interests in Hong Kong's prosperity. We believe that not just the United Kingdom but the international community will look closely at the way in which China discharges its responsibilities once Hong Kong has been transferred. I very much hope that the Chinese Government will reflect on the fact that what happens in Hong Kong will be of intense interest not only to the people who live there, but to the whole world.

Middle East Peace Process

2. **Ms Glenda Jackson:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received regarding the middle east peace process; and if he will make a statement. [22611]

3. **Mr. Pike:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he next plans to visit the middle east to discuss the peace process. [22612]

Mr. Rifkind: I received the Israeli ambassador last month. Representations have also been made by the Palestinians.

I have no plans for an early visit to the middle east.

Ms Jackson: I thank the Foreign Secretary for that reply, but are not both Syria and Lebanon continuing to furnish safe havens for militant groups not only opposed to the state of Israel, but committed to the destruction of the entire middle east peace process? What are the Government doing to bring such influence as they possess to end that action and to urge Syria back to the peace table?

Mr. Rifkind: The hon. Lady is correct. It was the Syrian Government's failure to condemn the bomb outrages in Israel that led to the end of the Israeli-Syrian talks, which was a serious setback. With others, we have impressed on the Syrian Government the crucial requirement to desist from giving direct or indirect support to people who advocate violence. The peace process must include Syria as well as other countries in the region. It is important, therefore, that circumstances permit a resumption of negotiations between Israel and Syria. That would in due course lead to a peace treaty with Lebanon, so all these matters are closely interconnected. As the hon. Lady implies, the first step is the cessation of direct or indirect support for the people who are trying to destroy the peace process.

Mr. Pike: I am sure that the Foreign Secretary will agree that, in the long-term peace process, it is essential that the international community takes strong action to condemn terrorism in the middle east. Does he further

agree that there should be no faltering of the economic progress made in the Gaza strip since the peace process was started, which could be to the advantage of any minority that advocates terrorism in the region?

Mr. Rifkind: Yes. If one goes to Gaza, one sees the benefits of the peace process: the huge economic construction that is taking place. Since the bombing incidents, the Israelis have had to take steps to close access to Gaza and to the occupied territories. That is unfortunate. We hope that it will be possible for the Israelis to relax those constraints, because anything that damages economic progress and development in either the west bank or Gaza is unlikely to help the peace process.

Mr. Cyril D. Townsend: Is my right hon. and learned Friend aware that Israel has prevented Egyptian flour from being brought into Gaza, where there is a desperate shortage? Does he know that Israel has been stopping Palestinian farm produce from entering both Jordan and Egypt? Does he agree that such punishment, which is totally unrelated to security, will in the long run rebound on Israel and do nothing to help the peace process?

Mr. Rifkind: We realise that the Israelis have a natural desire to prevent access to the west bank or to Gaza of any material that might assist terrorists or terrorism, but that cannot, of course, be said to apply to foodstuffs or other humanitarian requirements. I understand that supplies are now flowing more naturally into Gaza and other territories—I hope that that is the case. We will encourage the Israelis to allow the basic requirements of people who live in those territories to be met by proper deliveries.

Mr. Batiste: My right hon. and learned Friend will be aware first hand of the concern in Britain that, over many years, the IRA has been able to raise funds in the United States, so he will understand Israel's concern that Hamas may be raising funds for terrorism in Britain. Will he give clear and categorical assurances to the Israeli Government that such fundraising will not be allowed in Britain?

Mr. Rifkind: It is clear that any evidence that we might obtain that suggests that funds are being raised for terrorism would have to be dealt with in a specific and unambiguous way. Of course, there is always a practical difficulty in being certain where funds raised in Britain are being directed. Of course the people responsible for raising those funds always provide what sounds on the surface a reassuring explanation. We need to know, therefore, whether any evidence suggests that there are other destinations for such funds. If the evidence is available, there are powers to deal with such activities.

Mr. Ernie Ross: Has the Foreign Secretary had time to study the proposal for reconciliation based on a comprehensive and institutionalised dialogue signed recently between leading members of the Palestinian community on the west bank among whom were Faysal Husanyi; Marwan al Barghuthi, a representative of FIDA; Ghassan al Khatib; Samia Khuri, a women's activist, and members of Hamas? That proposal recognised the right of the Palestine National Authority to carry out its work within the framework of political pluralism. Is not that the way forward for the Palestinian community on the west bank and in Gaza if we are to see a real comprehensive peace in the middle east?

Mr. Rifkind: We, of course, welcome any initiative that encourages democratic principles and political pluralism in the west bank and in Gaza. The recent elections for the Palestinians were an important step in the right direction. They allowed a free expression of opinion. The Palestinian people showed tremendous enthusiasm for that process and that also is very much to be endorsed.

Mr. Alexander: Does my right hon. and learned Friend agree that, if the new Palestinian Government are to succeed and gain acceptance for the democratic principle, the authority of President Arafat must be upheld and supported? Will he condemn any country or individual that tries to undermine that authority, because otherwise President Arafat is in danger of losing the support of his own people?

Mr. Rifkind: Yes. As my hon. Friend implies, as a result of the recent elections, President Arafat now is not simply the leader of the Palestinians but the elected leader of the Palestinians. That gives him a democratic legitimacy which he may not have been able to claim in the past but which he is entitled to claim now. We very much hope, therefore, that that will be recognised by all who have the ability to influence events in that part of the middle east.

Mr. Fatchett: Does the Foreign Secretary agree that the real danger to peace in the middle east is that the peace process itself should go cold and that that is seen as a victory for terrorism and for those who are trying to derail the peace process? Will the Foreign Secretary also acknowledge that the danger of the peace process going cold is that it puts unmanageable strains upon the new Palestinian democracy and does little in the medium and longer term to add to the security of the people of Israel? What steps are the Government taking in terms of new initiatives to help the peace process, to ensure that the parties get round the negotiating table and that we get back to the optimism that was with us earlier in the year?

Mr. Rifkind: It was very much concerns of the kind expressed by the hon. Gentleman that led to the calling of the international conference at Sharm-el-Sheikh. That was an important opportunity for the international community, including the United Kingdom, to demonstrate our support for the peace process and our determination to ensure that it did not just get lost in the sand, and to give political support to the Israeli Government, to President Arafat and to other Arab leaders who are working for the success of the peace process. They need to know of the support, both political and economic, of the international community, and that, I believe, has given a considerable boost to the prospect of resurrecting the process in a credible and substantive way.

The next most important development will be the elections in Israel and we hope that those who are working for the peace process will get the endorsement of the Israeli electorate.

Mr. Carrington: My right hon. and learned Friend will be aware that the Israeli closure of the occupied territories

is causing great suffering to the Palestinian people and that that is having just one effect which is to encourage support for the terrorists among the Palestinians. If the Israelis want to keep the peace process on track, they must ensure that they open the borders to the occupied territories quickly, because that is the only way of recreating support for President Arafat and for the peace process.

Mr. Rifkind: My hon. Friend is correct to make those points. The Israeli Government will have to come to a judgment about whether the benefits that they perceive from the closure of the territories could be outweighed in the way that my hon. Friend suggests by a growing disillusion for the peace process among those who live there. The Israelis fortunately have the same interests as do we in the success of the peace process. Therefore, I hope that it will be only a short time before proper access is permitted again.

Nigeria

4. **Mr. Martlew:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he makes of the progress of the transition to democracy programme in Nigeria. [22613]

The Minister of State, Foreign and Commonwealth Office (Mr. Jeremy Hanley): We remain concerned at the continued lack of substantial progress by the regime, even in meeting its own timetable. Human rights abuses continue and political freedoms are denied.

Mr. Martlew: Is it not the case that in the past we have hidden behind United States policy with regard to taking a sterner line against the military regime in Nigeria? Now that the United States National Security Council has called for a freezing of the military regime's assets, will we stop dragging our feet and take the lead in placing tighter sanctions on this despicable junta?

Mr. Hanley: It is unfair, indeed untrue, to say that we are hiding behind anyone else's policy. We are at the forefront of not only the united policy of the Commonwealth but the united policy of the European Union. As members of the Commonwealth ministerial action group, we are taking urgent steps. The next meeting will be on 23 April. We are considering a wide range of issues while waiting to see whether Nigeria takes the opportunity of going down the path that it has already declared that it will follow towards civilian rule.

The European Union has set up a series of sanctions against Nigeria and we are considering any other sanctions that might be considered by the United States that are effective and do not hurt the ordinary people of Nigeria. Therefore, it is wrong for the hon. Gentleman to say that we are dragging our feet. Quite the reverse: we are at the forefront in trying to make Nigeria see sense and come into the real world.

Mr. John Marshall: May I ask my right hon. Friend to think long and hard before imposing further economic sanctions? Does he agree that economic sanctions often hurt the people of the country without hurting the decision-makers? Does he remember the late Lord Wilson saying that economic sanctions would break down Ian Smith in a matter of weeks rather than months, and that they took 15 years to do so?

Mr. Hanley: What my hon. Friend says is worth seriously considering. There are no economic sanctions on Nigeria at present, but the Department of Trade and Industry continues to keep the level of activity under review in the light of the prevailing political and economic circumstances. We shall continue to support British exporters, but we must consider whether sanctions are an effective remedy.

If it is suggested that sanctions need to be imposed and the main sanction is, let us say, oil, those sanctions will have to be properly policed. That may require a naval blockade and a considerable cost not only to us but to the broader community within the United Nations. My hon. Friend is right that the interests of the ordinary people of Nigeria must always be kept in mind.

Croatia

5. **Mr. Wareing:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the state of the United Kingdom's relations with Croatia. [22615]

The Minister of State, Foreign and Commonwealth Office (Sir Nicholas Bonsor): The United Kingdom established diplomatic relations with Croatia in January 1992, and has a resident ambassador in Zagreb. We will continue to develop our bilateral relations.

Mr. Wareing: Is the Minister aware of the latest report from Elizabeth Renn, the United Nations special reporter on human rights in Yugoslavia, in which she expresses considerable concern about the conditions of the Serbian people who remain in that country? She particularly refers to harassment, discrimination, robberies and violence and she has expressed concern at the impossibility in the present conditions of refugees returning to Krajina following the military actions of the Croatian authorities. Is it not time that we exerted real pressure on what has become a neo-fascist regime in Zagreb to ensure that human rights are restored in that part of the world?

Sir Nicholas Bonsor: The restoration of human rights is a matter of great concern in Croatia, the Federal Republic of Yugoslavia and Bosnia. The matter to which the hon. Gentleman refers does cause us concern. However, we can draw encouragement from the fact that the Croatian authorities are co-operating well with the international court which has been set up to try war criminals. They have told me that they have 1,000 people on their list for potential indictment. So we are making progress, albeit more slowly than the hon. Gentleman and I would like.

Sir Patrick Cormack: Does my hon. Friend agree that many hon. Members accept that progress is being made? Despite the fact that Croatia is far from being a perfect democracy, does he concede that it has done a tremendous amount to harbour refugees within its borders? At one stage last year, some 10 per cent. of its population were refugees. Does not that humanitarian gesture deserve encouragement and support?

Sir Nicholas Bonsor: I agree that we should do all we can to encourage both Croatia and the Federal

Republic of Yugoslavia to treat their refugees well. Both countries deserve credit for the number of refugees that they have taken as a result of the tragedy in Bosnia. None the less, there is still much work to be done on that front. The international community must continue to work to ensure that still greater efforts are made.

European Union

6. **Mr. Barnes:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the prospects for enlargement of the European Union. [22616]

Mr. Rifkind: Extending eastwards the security and prosperity we enjoy in the west is the fundamental task for Europe over the next decade. The United Kingdom is playing a leading role in taking that process forward.

Mr. Barnes: Is not democracy very precious, especially for the new democracies of eastern Europe? Why should they have to give up much of their hard-won democracy in joining the European Union, which is centralised and bureaucratic? Why do we not turn it into a democratic system, so that, when democracies move into the European Union, they only transfer democracy? Should not that always be done by referendum, so that the people can agree to that transfer of democracy?

Mr. Rifkind: It will, of course, be for each applicant country to decide its internal arrangements for confirming any desire to join the European Union. I have no doubt that countries that have been deprived of democratic institutions for 50 years and which have won them back in the past few years will be loth to give them up, for reasons that we all appreciate. We seek a European Union that is fully consistent with the democratic principles to which we all attach importance. The European Union exists on the basis of a belief in democratic values, so there should be no inconsistency between the two objectives.

Mr. Forman: While I welcome the general prospect of further enlargement of the European Union, is there any effective influence that Her Majesty's Government can exert to get a more rational order of enlargement? It does not seem sensible to some of us that the next states in line to join an enlarged European Union should be the micro-states of Cyprus and Malta. Does it not make more sense to give priority to the Visegrad countries?

Mr. Rifkind: Cyprus and Malta have already been promised that enlargement negotiations will begin within six months of the end of the intergovernmental conference. The applications of the Visegrad countries and other countries are subject to an opinion by the Commission on whether they are ready to start negotiations. It is quite possible that the Commission will record in favour of the commencement of negotiations. Therefore it is possible that those negotiations could begin at the same time as those with Cyprus and Malta. There are certainly some attractions in such an approach but we must await the judgment of the Commission, which has been asked by the European Council to report on their readiness to start the detailed accession stage.

Mr. Robin Cook: Does the Foreign Secretary recall the Prime Minister telling Parliament that he was not in favour of referendums and did not intend to propose one for the British people? When did the Prime Minister change his mind?

Mr. Rifkind: The Government and the Conservative party believe strongly that it is important that, in circumstances where a general election might not be able to resolve a matter of this importance, the electorate should be able to do so through a referendum. The way in which the Conservative party is uniting on its European policy compares favourably with recent developments in the Labour party. After the hon. Gentleman proudly claimed that he spoke for a party that was unanimous on European policy, a week or so ago 50 Labour Members announced an organisation to campaign against the policy of their Front-Bench spokesman. I should have thought that he would show a little more caution in his remarks, especially today.

Sir Terence Higgins: Is my right hon. and learned Friend aware that many hon. Members believe that a referendum is incompatible with our system of representative parliamentary democracy? Does he agree that, if members of a Cabinet were to campaign for a single currency in a referendum—putting forward all the arguments—and lose, it would be fatuous for them to say that they had changed their mind? They would have no option but to resign.

Mr. Rifkind: I have no doubt that in any referendum it is crucial that the judgment of the electorate is fully respected. I have no doubt that that will apply in any future referendum.

Mr. Corbett: Can the Foreign Secretary reconfirm the strong support of the United Kingdom Government for the admission of both Cyprus and Malta to the European Union? Will he make it clear that, while we hope that the negotiating process will contribute towards a solution to the differences between the two Cypriot communities, those will not be allowed to block admission and, therefore, in effect give Turkey a veto?

Mr. Rifkind: No third party could have a veto on whether Cyprus might join the European Union. That must be a matter for the EU and the applicant country. If it is possible to achieve political progress that helps towards the reunification of the island, that will make negotiations infinitely easier than they would otherwise be. There can be no hiding the fact that a divided island is going to be a difficult issue for the European Union to deal with if it is contemplating the accession of a new member. To say that it is difficult, however, does not make it impossible—something that has to be borne in mind by all concerned.

Mr. Duncan Smith: Can my right hon. and learned Friend confirm that, if Parliament agreed to go for a single currency, any referendum following that would probably need a 60 per cent. majority, as we have accepted that there would be constitutional change?

Mr. Rifkind: I do not accept that. If there were a referendum on a single currency, a simple majority would be the proper way of addressing the judgment of the electorate.

Bosnia

7. **Mr. Hain:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the situation in Bosnia. [22617]

Mr. Rifkind: Compliance with commitments made at Dayton is generally good, but the situation remains fragile. We urge all parties to throw their weight behind the process of reconciliation.

Mr. Hain: Will the Foreign Secretary condemn—as I am sure he would want to—the horrific tampering with graves at a number of sites in Bosnia, including most notably the Sahinici One site, apparently with the intention of hiding evidence to allow mass murderers to escape? Is it not wrong and totally unacceptable that the implementation force should be refusing to secure such suspected sites? Will he use his good offices to press IFOR, through the North Atlantic Treaty Organisation, to ensure that the sites are guarded so that the international criminal tribunal can go there, collect the necessary evidence and bring brutal mass murderers to trial?

Mr. Rifkind: I agree with the hon. Gentleman that one condemns any interference with such sites. We are working closely with the tribunal on the sort of locations within Bosnia that might be of particular sensitivity and any request of the tribunal. I am sure that every effort will be made both by IFOR, and the police authorities within Bosnia-Herzegovina, to ensure that the sites are not tampered with in a way that damages evidence that would otherwise be available.

Argentina

8. **Mr. Jacques Arnold:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on United Kingdom relations with Argentina. [22618]

Mr. Rifkind: Apart from our disagreement over the Falklands and South Georgia, relations are good and continuing to improve.

Mr. Arnold: While I welcome the strong guarantees that this country is giving the Falkland islands and South Georgia, will my right hon. and learned Friend highlight the rapidly improving links between Argentina—one of the major economies of Latin America—and our country? In particular, could he highlight the considerable British investment that is taking place there and the great prospects not only for British investors but for British traders into that great country?

Mr. Rifkind: I certainly can. In recent times, some major British utilities—British Gas, Anglian Water and the National Grid Company—have made substantial investments under Argentina's privatisation programme. The total value of that work in 1994 was £225 million.

Helms-Burton Act

9. **Mr. Rathbone:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made recently to the United States Government about the Helms–Burton Act. [22619]

Sir Nicholas Bonsor: We have made clear our concerns to the United States Government on a number of occasions recently.

Mr. Rathbone: Will my hon. Friend continue the Government's actions to persuade the United States to withdraw this ludicrous legislation—legislation that it has introduced in contravention of the rules of the North American Free Trade Area and the World Trade Organisation, which it helped to set up? That level of severity is no way to respond, even to the thoughtless and tragic shooting down of two civilian planes by the Cuban Government. Will he bring pressure to bear from the Government, and through the European Union and the Commonwealth, on the United States to reverse this piece of legislation, which is bad for everyone but which is worse for Cuba in its transition to democracy?

Sir Nicholas Bonsor: I assure my hon. Friend that the Government take this very seriously. The Helms-Burton Act has two particularly objectionable clauses: title III, which gives United States citizens the right to sue in the American courts British and other foreign companies that traffic, as they put it, with Cuba and in Cuba; and title IV, which claims the right to exclude from the United States anyone connected with any company that may be trafficking in that way, and that appears to include shareholders and their families. The Government view that as unacceptable legislation, with very high extra-territorial content.

Therefore, we are making bilateral complaints to the United States Government, the most recent of which was a diplomatic note that we sent today—it will be put in the Library shortly, if it is not already there. We are also joining with our European Union colleagues to see what steps can be taken collectively to persuade the United States to think better of this unfortunate move. The permanent representatives will be meeting later this week to discuss this and the Foreign Affairs Council will be meeting towards the end of the month. The British delegation to both meetings will make strong representations that we should exert pressure on the United States to change its mind.

Mr. Tony Lloyd: I welcome the Minister's words, and I offer the Labour party's full support for the actions that the Government have taken. However, will he accept that the briefings given by the Department of Trade and Industry have made it clear that the United States will take action on an exemplary basis against British companies to warn other companies about trading with Cuba? Will he make it clear that that would be grossly unacceptable to this country? Will he also make sure that the American President is under no illusions that it is the position of the British Government that he should use his power to delay this legislation indefinitely so that it cannot be used in this unacceptable manner against our national interests?

Sir Nicholas Bonsor: Certainly it would be wholly unacceptable to Her Majesty's Government if British companies were used as exemplars to discourage others from trading with Cuba, and we would make the strongest

representations to the United States Government were that to be the case. I believe that the President's right to defer the legislation refers specifically to title III, which does not come into effect until 1 August, so we have a little time. Her Majesty's Government will try as hard as they can to get the President to exercise that right. I am afraid that during an election year he may find it difficult, but we will do our best to make sure that he does.

Mr. Fabricant: Notwithstanding Her Majesty's Government's view towards the Helms-Burton Act, will my hon. Friend at least acknowledge that the United States Government are the single largest contributor of aid to the Cuban people?

Sir Nicholas Bonsor: I am not sure whether that will continue to be the case—but, if it does, I will be the first to welcome it.

China

10. **Mr. Timms:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Government's policy on the promotion of human rights in China. [22620]

Mr. Hanley: We raise our concerns on human rights with the Chinese authorities at every suitable opportunity, both bilaterally and through the European Union.

Mr. Timms: What pressure are the British Government bringing to bear on the Chinese Government to secure the release of Wei Jingsheng, the human rights activist who was imprisoned last autumn? What steps are being taken to secure the adoption of the European Union-sponsored resolution on human rights in China by the United Nations High Commissioner for Refugees?

Mr. Hanley: I am grateful to the hon. Gentleman for his question. We and our EU partners have expressed to the Chinese authorities our deep concern about the detention, trial and imprisonment of Wei Jingsheng. My right hon. and learned Friend the Foreign Secretary referred to Mr. Wei's case during his meetings in Peking in January; the case was raised during the second series of meetings under the formalised EU-China human rights dialogue in Peking from 22 to 24 January; and we have repeatedly urged the Chinese authorities to show clemency in this case and allow Mr. Wei's early release.

As for the resolution, we are taking action in conjunction with our European Union partners and co-sponsored, as the hon. Gentleman knows, the resolution on human rights in China, including Tibet, at the 51st United Nations Commission on Human Rights in March 1995, which was defeated by only one vote. We and our partners have agreed to present a similar resolution on China at the 52nd commission, which is being held in Geneva until 26 April 1996.

Mr. Harry Greenway: Is my right hon. Friend satisfied that China will accept current standards and attitudes in relation to human rights in Hong Kong after it takes over the colony, rather than seeking to impose its own, currently very low and unacceptable, standards on that colony?

Mr. Hanley: My hon. Friend is right to point out that we devote a great amount of work, concentration and determination to that matter. We are continuing to press China to ratify a range of international human rights instruments, including the international covenants on civil and political rights and on economic, social and cultural rights. What we require for Hong Kong, what Hong Kong requires for itself and what I believe the Chinese also require of Hong Kong, is the greatest continuity in Hong Kong, as that is the way in which Hong Kong will manage to achieve the greatest confidence for the future, and that is in all our interests.

Sir David Steel: Is it accepted by the Foreign Office that we have a particular responsibility for human rights in the part of China that Hong Kong will become? If so, does the Minister recognise the disappointment that many of us felt when the Foreign Secretary reacted to the appointment of the preparatory committee, which excluded any member of the Democratic party in Hong Kong, by describing it as a "pity"? Surely we should be more robust than that. It was an outrage; it was stupid; it was short-sighted. Will the Foreign Secretary be more robust in future?

Mr. Hanley: My right hon. and learned Friend the Foreign Secretary took the opportunity, when in Peking, to mention several issues that he believed would increase people's confidence in Hong Kong's future and to mention actions that he felt the Chinese Government might introduce to increase confidence—to take heed of what the right hon. Gentleman said is one such issue.

Recognising democratically elected individuals in Hong Kong is a very important part of maintaining the world's confidence in Hong Kong's ability to continue in the way that it has in the past. I therefore feel that our continued interest in the region, which is without question, will include our continued interest in Hong Kong, as my right hon. and learned Friend the Foreign Secretary said earlier. That is not only because of our trade interests and because of our regional security interests; it should be remembered that we continue to exercise a joint declaration until at least the year 2047. Therefore, we have responsibility for people in Hong Kong long after the transition.

Dr. Spink: My right hon. Friend may recall the controversy that surrounded the programme "The Dying Rooms" about the care of abandoned children in China. The film was shown in the House, and I know that several hon. Members who saw it were moved to tears. Will he take all possible steps to pursue the matter with the authorities in China and to ensure that all children in China receive proper care?

Mr. Hanley: I know that my hon. Friend speaks for everyone in the House on that issue. Because it emphasises the importance of bilateral dialogue, I am pleased that my right hon. and learned Friend the Foreign Secretary took the opportunity, when in Peking, to raise that issue with the People's Republic. All who read the Human Rights Watch Asia report on the ill treatment of children in Chinese orphanages or watched the Channel 4 documentary would have been shocked by those pictures and the reports.

My right hon. and learned Friend the Foreign Secretary said that deep concern was felt in Government, by the British public and in the House at

that sensitive issue, and he emphasised to the Chinese Government that the best way for the Chinese authorities to respond to the allegations was to have a policy of complete openness. That policy includes free access to the orphanages by Chinese and foreigners alike. A group of European Union diplomats in Shanghai visited one of the institutions mentioned in the report and found no evidence of ill treatment. That is not conclusive proof, but greater openness on China's part will help to reveal the truth about the issue and will ensure that the abuses are revealed and eliminated.

Nigeria

11. **Mr. O'Hara:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the 19 Ogonis currently awaiting trial on the same charges as those faced by Ken Saro Wiwa. [22621]

Mr. Hanley: Our high commissioner in Lagos has repeatedly made it clear to senior Nigerian Ministers that we expect any further trials to come before properly constituted courts that respect the basic legal rights of the defendant.

Mr. O'Hara: The Minister will be aware of the shock and abhorrence felt in the House and throughout the world at the travesty of a trial and the consequent executions of Ken Saro Wiwa and his eight fellow activists last November. The House and the world know that Her Majesty's Government's response to that outrage was verbal, feeble and ineffective—indeed, the order of the day seems to be business as usual. Will the Minister assure the House and the rest of the world that the Government will take stronger and more effective action to dissuade the Nigerian military regime from a similar perversion of the legal process in the case of the Ogoni Nineteen? Will he assure us that that policy will be implemented if there is a repetition of the show trials and executions of Ken Saro Wiwa and his eight compatriots?

Mr. Hanley: The hon. Gentleman is right: we are very concerned about reports that a further 19 Ogonis may face the same tribunal that tried Ken Saro Wiwa. The regime must be in no doubt that that would certainly provoke further strong international reaction. As I said earlier, we have made it clear to the Nigerian regime that we expect any further trials to come before properly constituted courts that respect the basic legal rights of the defendant.

For their part, the Nigerian authorities have said that they will make changes to their court procedures. Those changes will not be introduced until some time next year, and that is not good enough. It is essential that there be properly constituted legal procedures in Nigeria. Until that occurs and there is further and more rapid progress towards civilian rule, we shall continue to impose the European Union sanctions and to take the action initiated by the Commonwealth in our determination to persuade Nigeria to reduce its human rights abuses.

European Court of Justice

12. **Mr. Whittingdale:** To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals he has for the reform of the European Court of Justice; and if he will make a statement. [22622]

The Minister of State, Foreign and Commonwealth Office (Mr. David Davis): We have set out proposals for changes to the European Court of Justice in "A Partnership of Nations". We will shortly publish a detailed memorandum.

Mr. Whittingdale: I welcome my hon. Friend's proposals as far as they go. While recognising that we need laws to govern the operation of the single market, does he accept that the European Court of Justice is a political body pursuing a federalist agenda? Will he consider introducing legislation such as that proposed by my hon. Friend the Member for Chingford (Mr. Duncan Smith) which is designed specifically to address that problem?

Mr. Davis: My hon. Friend puts his case very well and precisely. The problem relates not just to the European Court but to other European institutions that misuse or abuse treaty articles. The misuse of article 118A on the working time directive was supported recently by the Advocate General of the European Court. My right hon. Friend the Prime Minister raised that issue at Turin with the leaders of the other European countries. My hon. Friend may be sure that issues around that nexus will form a central part of our negotiating objective. Alain Juppé, the French Prime Minister, raised the same issue a few weeks ago in a speech in France—so we are not the only ones taking an interest in it.

Mrs. Clwyd: Will the Minister confirm that he is seeking to curb the powers not only of the European Court of Justice but of the European Court of Human Rights, where the United Kingdom has been found guilty of 39 violations of human rights?

Madam Speaker: Order. The question refers to the European Court of Justice. Unless the hon. Lady can relate her question to that topic, I cannot allow her to pursue it. The hon. Lady might like to try again.

Mrs. Clwyd: Is it not simple embarrassment on the part of the British Government that drives them to seek to curb the powers of the courts, because they have been found guilty of violations on more occasions than almost any other country in the European Union? Will the Minister also admit that he is absolutely embarrassed among the European countries because of the United Kingdom position?

Mr. Davis: I will say two things to the hon. Lady. First, in respect of her assertion about the European Court of Justice, my hon. Friend the Member for Colchester, South and Maldon (Mr. Whittingdale) made the point very well. We support a strong European Court of Justice when it interprets and enforces the law and not when it manufactures the law. Secondly, in respect of her comments on human rights, this country has a record second to none on human rights and it is completely untrue to assert, as she did, that this country has lost more cases than any other.

Mr. Jessel: If the European Court of Justice has a built-in duty to promote European union so that it cannot concentrate exclusively on the application of justice

within the rule of law, surely it is not, in the traditional sense, a real court of justice and cannot be respected as such.

Mr. Davis: It is our contention that the court is perfectly capable of concentrating on the law, interpreting the law and enforcing the law. It does not have to extend the law, and that is our major point.

Ms Quin: As the Government will need the support of the all the other countries if there is to be any radical change in the workings of the European Court of Justice, will the Minister list those countries that support the Government's aims?

Furthermore, on the working hours directive, is not the Government's case completely undermined by the report that they commissioned which showed a clear link between long working hours and threats to health and safety?

Mr. Davis: I will make two points on that matter. First, we have had no useful thought or input on the European Court of Justice from the Labour party. It has had not one constructive thought. Secondly, when working hours are related to safety—for lorry drivers and factory workers, for example—national legislation exists to protect British workers. That is why we have one of the best records in Europe for health and safety at work.

Mr. Robert G. Hughes: As part of my hon. Friend the Minister's positive and communautaire stance in all his European negotiations, will he seek to move closer to our friends in the Federal Republic of Germany? They seem to have the art of completely ignoring ECJ judgments and getting away with it.

Mr. Davis: In fact, they do not get away with it. The German Federal Republic loses a large number of European Court of Justice cases. That may make it think a little more about the operation of the court.

Gibraltar

13. **Mr. Tony Banks:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on relations between Spain and Gibraltar. [22623]

Mr. David Davis: We regret that relations continue to be marred by unjustifiable delays at the frontier caused by the Spanish authorities.

Mr. Banks: I thank the Minister for that reply. Will he give a clear guarantee that the future of Gibraltar will not be sacrificed in the wider interests of Anglo-Spanish relations within European Union political dealing? Will the Minister make a statement on the working or the non-working of the 1987 Anglo-Spanish airport agreement, which most Gibraltarian politicians think is inoperable? Indeed, I believe that the House of Assembly asked for the termination of that agreement in early February.

Mr. Davis: None of the interests of Gibraltar will be sacrificed in any of our negotiations. Indeed, almost on a week-to-week basis we have to deal with Spanish stances on Gibraltar. Only recently, I intervened to prevent a directive that would have been prejudicial in its effect on Gibraltar. In view of the strong local feeling about the airport agreement, we have made it clear that we will not impose it without the agreement of the people and Government of Gibraltar. That is a clear undertaking and it will last.

Rev. Martin Smyth: I welcome the Minister's last statement, but does he agree that the problem began earlier—even when Spain was seeking access to the European Union? If Spain had abided by the treaty of Rome, it would have been recognising the boundaries. Another problem is arising with Cyprus, as it did with Ireland entering the European Community and not recognising the boundaries of the United Kingdom.

Mr. Davis: I understand the hon. Gentleman's point, which is why I adopted the stance that I did with a number of directives—and why one directive did not make it through the Council recently. I insist that we recognise the border as it stands, and the legitimacy of our sovereignty in Gibraltar.

Turks and Caicos Islands

14. **Sir Thomas Arnold:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a further statement about the governance of the Turks and Caicos Islands. [22625]

Mr. Rifkind: The Governor of the Turks and Caicos Islands has our full support in his efforts to maintain good government. The Minister of State, my hon. Friend the Member for Upminster (Sir N. Bonsor), met a delegation from the Legislative Council on 1 April, and he subsequently wrote rejecting its petition for the Governor's recall.

Sir Thomas Arnold: I declare a registered interest. Does my right hon. and learned Friend agree that a triangular administration involving London, a regional secretariat in Barbados and Grand Turk is a trifle excessive for a population of 14,000? Would not a lighter touch be more appropriate?

Mr. Rifkind: Of course we are always willing to consider any improvements for the administration of the island. At this time, I have no reason to doubt that our current arrangements make the best use of resources and do not involve any unnecessary bureaucracy.

Mr. Flynn: Why did right hon. and learned Gentleman reject the petition that alleged that Governor Burke treated the islands as a private fiefdom, treated the population with indifference and a lack of respect—having called them people of moral indifference, evaded the rules of customs clearance for his own family, appointed himself as a marriage officer to conduct the service for his brother-in-law and then immediately resigned from that office, and used a small fortune on the official residence at a time when the police funds are being neglected and crime on the island has risen 40 per cent. in the last three years?

Mr. Rifkind: I much regret that the hon. Gentleman has chosen to use the privilege of the House to make accusations against Her Majesty's Governor of the Turks and Caicos Islands, when the allegations made against the Governor have been fully investigated, were found to be totally unjustified and were rejected. The hon. Gentleman might at least have taken account of the fact that, unlike his own efforts, the allegations against the governor were investigated and found to be unjustified. Against that background, it is unfortunate that the hon. Gentleman chooses to parrot allegations that he has been told about by other people.

Ukraine

15. **Mr. Elletson:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about United Kingdom relations with Ukraine. [22627]

Mr. Rifkind: We are committed to supporting an independent and democratic Ukraine playing its full part in Europe.

Mr. Elletson: Will my right hon. and learned Friend continue to ensure that Ukraine is not overlooked in terms of the political and economic support that it receives? Does he agree that Ukraine is a European country in whose continuing independence and developing economic and political stability we have a strong interest?

Mr. Rifkind: I agree with my hon. Friend. Apart from Russia, Ukraine's independence and territorial integrity will have more impact on political stability in Europe than that of almost any other country that has emerged from the old Soviet Union.

Mr. Bennett: Is the Foreign Secretary satisfied that Ukraine has sufficient resources to close down the Chernobyl nuclear plant and, more important, to ensure that once it is closed it can be safely decommissioned?

Mr. Rifkind: There have been discussions between Ukraine and a number of western countries on the help that might be provided with regard to Ukraine's plans in that respect. We recognise that heavy burden on Ukraine, which is why the international community has felt able to make some help available in a number of ways.

UN Security Council

16. **Dr. Godman:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he next intends to attend a meeting of the United Nations Security Council to discuss its structure, function and membership. [22628]

Sir Nicholas Bonsor: My right hon. and learned Friend the Foreign Secretary has no plans to attend a meeting of the UN Security Council. We will continue to take an active part in the continuing debate on its composition and working practices.

Dr. Godman: What action is being taken by the Government to ensure that the peacekeeping budget is not totally depleted as a result of the financial crisis being experienced by the United Nations? What steps are being taken to deal with that massive financial problem? For example, when will the Americans pay off their arrears?

Sir Nicholas Bonsor: I entirely agree that it is most unfortunate that the United Nations is facing a financial crisis. I further agree that it is most unfortunate that, of the $2.3 billion that the United Nations is currently owed, nearly half is owed by the United States of America. We are pressing the Americans to make good their deficit; I fear that in the short term I see little prospect of that. As the hon. Gentleman will know, however, the British and French Governments took the lead in the European Union in advancing proposals, which are now being considered by the UN and which have the full support of the EU, for reforms that should ensure the payment of arrears and a proper funding process.

Mr. Jopling: Does the Minister agree that the United States' $1 billion debt is quite intolerable? Will he get all Ministers, whenever possible, to put pressure on the Americans and the American Congress to put that right? This accumulated deficit is doing more to damage the structure and functioning of the United Nations than anything else.

Sir Nicholas Bonsor: I entirely agree with my right hon. Friend. All Ministers will continue to pressurise the United States at every available opportunity to make good its deficit. My right hon. Friend is also right to point an accusing finger at Congress, which is not being co-operative with the Administration in attempting to resolve this difficult problem, but which appears to be using it for party political purposes.

Western Sahara

19. **Mr. Mudie:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Secretary-General of the United Nations on Western Sahara. [22632]

Mr. Hanley: We frequently make clear our support for the UN operation in Western Sahara in contacts with the UN Secretary-General, at meetings of the Security Council and in the informal Group of Friends of the Secretary-General on Western Sahara.

Mr. Mudie: The idea of a referendum on Western Sahara was first raised in 1973 and then promised in 1992, and we were assured by the Minister on 1 March last year that it would take place by October of last year. Does the Minister find it acceptable that it has still not taken place because of Moroccan obstruction? Can he explain why the Moroccans continue to be allowed to move thousands of Moroccan settlers into Western Sahara in an attempt at gerrymandering? When may we expect the Government to press in the United Nations for the referendum to take place, and for an end to the gerrymandering?

Mr. Hanley: I agree with some of what the hon. Gentleman says. It is certainly disappointing that there has not been greater progress towards the referendum.

We are concerned by the current lack of progress in identification, including that of the extra people to whom the hon. Gentleman referred. The truth is that, unless significant progress is made by the middle of May, when the UN Secretary-General is due to report on the subject, he will be forced to present options for the future of the UN operation which may include phased withdrawal. I would regret that, and I would urge both parties to agree to the referendum, and to arrange for one as soon as possible.

Helms-Burton Act

20. **Mr. Bill Michie:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received concerning the impact of the Helms–Burton legislation. [22633]

Sir Nicholas Bonsor: We have received a number of letters from Members of Parliament and business men about the possible impact of the legislation.

Mr. Michie: I welcome the Minister's comments earlier this afternoon about the legislation passed by the United States Congress. May we have a guarantee from the Government that if any British company finds itself faced with court action we will at least give it all necessary support? I accept that the President of the United States can delay title III after August, but in the meantime our companies need to know that they can engage in free trade without the threat of isolation.

Sir Nicholas Bonsor: The hon. Gentleman is absolutely right to say that it would be appalling if United Kingdom companies were disadvantaged by the extra-territorial aspects of the legislation. I cannot give him the undertaking for which he asks; what support might be given to companies is a matter for my colleagues in the Department of Trade and Industry. We will certainly do our best to ensure that the impact on British business is limited. I can also tell the hon. Gentleman that we have every intention of continuing to encourage United Kingdom-Cuba trade.

Angola

21. **Mr. Robert Hughes:** To ask the Secretary of State for Foreign and Commonwealth Affairs what is his latest assessment of progress in the peace process in Angola. [22634]

Mr. Hanley: President Dos Santos and Dr. Savimbi reached agreement on 1 March on several important points, including the formation of a Government of unity and national reconciliation by June and/or July. We look to the Government of Angola and UNITA to honour their commitments and implement the provisions of the Lusaka protocol without further delay.

Mr. Hughes: Has the Minister heard the recent warnings given by the UN Secretary-General that time is running out for UNITA to comply fully with its responsibilities for quartering and the delivery of weapons, and for it to demonstrate its good faith? Are not those warnings compounded by recent belligerent speeches from Dr. Jonas Savimbi, who said that he was prepared to fight on? Given that, at one stage, the civil war cost 1,000 lives a day, will the Government act with some urgency to prevent the circumstances in which Angola would slide back into civil war?

Mr. Hanley: I believe that the prospects for peace are brighter now than at any time since the elections in 1992. The United Nations Angola verification mission—UNAVEM III—is now fully deployed and is providing the conditions necessary to maintain the ceasefire, to undergo the quartering to which the hon. Gentleman referred and to demobilise the UNITA troops. Seven quartering areas are now open to receive troops, but it is disappointing that the rate of quartering has not been quicker. We are also concerned by reports that most of those being quartered are not front-line troops. We hope that progress will be made and we are keeping tabs on it. My right hon. and noble Friend the Minister for Overseas Development visited the area recently and talked to Dr. Savimbi, from whom she received some assurances.

Sentencing

3.31 pm

The Secretary of State for the Home Department (Mr. Michael Howard): With permission, Madam Speaker, I wish to make a statement about crime and sentencing. I am today publishing a White Paper entitled "Protecting the Public", which sets out the Government's comprehensive strategy to tackle crime. That strategy is designed to ensure that everything possible is done to prevent crime; the police have the powers and resources that they need to catch criminals; the innocent are acquitted but the guilty convicted; and criminals are properly punished.

There is clear evidence that that strategy is working. Last week, I announced that recorded crime has fallen for the past three years in succession. That has happened only twice before this century. In 1995, there were 468,000 fewer crimes committed than in 1992—the largest ever continuous fall in the number of annually recorded crimes.

I pay tribute to the police—and all the local communities with which they work in partnership—for that achievement. But crime is still far too high and there is more to be done. That is why I announced a series of radical new sentencing proposals last October in Blackpool, which have one simple aim: to protect the public from dangerous and persistent criminals.

The first proposal relates to honesty in sentencing. At present, offenders sentenced to less than four years in prison can expect to be released after serving just half their sentence. Those sentenced to four years or more can expect to be released after serving between half and two thirds of their sentence. Automatic early release from prison enrages victims and undermines public confidence in the criminal justice system. I therefore propose to abolish it.

Under our proposals, there would be no more automatic early release. Prisoners who co-operated and behaved well would be able to earn up to 20 per cent. off their sentence. That will ensure that sentences actually served are much more closely matched to those handed out by the courts. In addition, it will give prisoners a strong incentive to behave properly in prison. On release, all prisoners serving 12 months or more would be supervised by the Probation Service for a period equivalent to 15 per cent. of their original prison sentence. The courts would be expected to take full account of those changes in the sentences that they pass.

Secondly, I refer to persistent serious sexual and violent offenders. The maximum penalty for crimes such as rape and attempted murder is life imprisonment. The advantage of the life sentence is that the offender will be released if and only if the Parole Board is satisfied that it is safe to do so. But serious sexual or violent offenders rarely get life—even if they offend again. In 1994, 217 offenders were convicted of a second or subsequent serious violent or sexual offence. All could have received a life sentence—but only 10 did.

Offenders who do not receive a life sentence have to be released from prison after serving two thirds of their sentence, even if everyone working with them knows that they are likely to commit another serious crime on some innocent member of the public. The sad reality is that many of them do.

In 1994, around 40 serious violent or sexual crimes were committed by offenders who had already been convicted of a second such offence. I believe that that is indefensible. I therefore propose that anyone aged 18 or over who is convicted of a serious sexual or violent offence for a second time should be sentenced to life imprisonment.

In these indeterminate life sentence cases, the trial judge, not Ministers, would set the tariff—the minimum period to be served for retribution and deterrence. Once the tariff had been served, the Parole Board would decide whether it was safe to release the offenders or not. If the Parole Board decided that they still posed a danger to the public, they would remain in prison. Those considered safe would be released on life licence and subject to recall to prison at any time during the rest of their lives.

Thirdly, I refer to drug dealers. Drug dealers are a scourge on society. They prey on the young and the innocent and wreck people's lives and, because addicts often resort to crime to finance their habits, they wreck the livelihoods of others. Dealers in hard drugs such as heroin, Ecstasy and cocaine usually receive prison sentences but, in many cases, those prison sentences are not long enough for those who persistently commit that very serious crime.

A recent sample showed that the average sentence for a third conviction of dealing in hard drugs was just over four years, and those offenders are automatically released after serving only two and a half years. We need to send a strong and clear signal that persistent dealing in hard drugs is not something we are prepared to tolerate. I therefore propose that anyone aged 18 or over who is convicted on three separate occasions of dealing in class A drugs should receive a minimum sentence of seven years in prison.

Next is burglary. All burglary is disruptive and costly, but domestic burglary is particularly distressing for victims who lose their treasured personal possessions and feel that the sanctity of their home has been violated. I believe that persistent domestic burglars deserve long prison sentences, yet they rarely get them.

A sample of domestic burglars convicted in the Crown courts in 1993 and 1994 showed that the average prison sentence for a first-time offender was 16.2 months. Even after three or more convictions it was only 18.9 months, and after seven or more convictions it was barely higher, at 19.4 months—and offenders actually serve just over half that. Indeed, 28 per cent. of offenders with seven or more convictions for domestic burglary in the Crown courts were not sent to prison at all. In the magistrates courts, that figure was even higher, at 61 per cent.

I simply do not believe that that gives the public the protection they deserve. Those sentences do not deter career burglars for whom the occasional short stretch in prison has become an acceptable occupational hazard. That is why I propose a minimum sentence of three years for anyone aged 18 or over convicted of domestic burglary for a third time.

In addition, I hope that the courts will use to the full their new powers to seize burglars' assets. The prospect of long prison sentences, coupled with loss of their possessions, will, I have no doubt, deter many burglars altogether. Others will not be deterred, but at least communities will get a lengthy break from their criminal activities.

[Mr. Michael Howard]

Five thousand more policemen to help catch burglars; new vigorous police tactics designed to take the offensive to the burglar; long sentences for persistent burglars; and the prospect of their own property being seized—those are my proposals to take on the burglar as has never been done before. I have no doubt that they will be warmly supported by the public.

I accept that there may very occasionally be cases where it would not be reasonable for the court to impose the minimum sentence. I therefore propose that the courts should have the discretion not to impose it in genuinely exceptional circumstances.

Let me summarise my proposals. Automatic early release from prison will be ended; anyone convicted of a second serious sexual or violent crime will receive a life sentence; and persistent domestic burglars will receive mandatory minimum prison sentences of three years, and those dealing in hard drugs seven years. Those are deliberately tough sentences, designed to deal with serious, persistent and wholly unacceptable offending by individual criminals. I accept that they are likely to lead to an increase in the prison population: the necessary prison places will need to be built, and that will require extra resources. I believe, however, that we simply cannot afford not to take such action.

I intend to phase in the measures. The provision to deal with second-time serious sexual and violent offenders and drug dealers will be implemented as soon as possible after Royal Assent to the Bill. I intend to implement the provisions to deal with persistent burglars and honesty in sentencing two years later, as new prison places become available. I also intend to consult fully on the proposals contained in the White Paper, and I shall carefully consider the points that are made. Having done that, I propose to introduce a Bill giving effect to my proposals in the next Session of Parliament.

The first duty of Government is to maintain law and order—to protect people's freedom to walk safely in their streets and sleep safely in their homes. We have taken action to ensure that the balance in our criminal justice system favours the law-abiding public, not the criminal. The police have revolutionised the way in which they fight crime, targeting known and persistent criminals with impressive results, and the public are increasingly playing their part through neighbourhood watch, street watch and the special constabulary.

My proposals are intended to protect the public from those who persistently commit offences that cause particular public concern—serious violent or sexual offences, drug dealing and domestic burglary. They will ensure that, once caught and convicted, persistent and dangerous criminals are properly punished. The proposals are tough, and they should be: they are needed to protect the public and build a safer Britain. I commend them to the House.

Mr. Jack Straw (Blackburn): I thank the Home Secretary for his courtesy in allowing me time to read the White Paper.

When he referred to the recent figures for recorded crime, the Home Secretary might have mentioned that in the past six months the level of recorded crime has begun to rise, and that in the past year the number of robberies has increased by 14 per cent. Two thirds of the White Paper contains a useful summary of measures already taken and announced by the Government over the past three years; it is very disappointing that it contains no proposals to improve the operation of the youth justice system, which is unquestionably one of the weakest parts of our present criminal justice arrangements.

The Home Secretary has made much of the current lack of consistency and progression in sentencing, and he is right. Does he agree that chance plays far too great a role in sentencing today, as I pointed out in a paper that I published last week? How can anyone explain to the public that the chance of receiving a custodial sentence in a magistrates court can vary from one case in six in Staffordshire Moorlands court to one in 66 in a similar court in Berkshire?

Is it not deeply disturbing, especially to the victims of crime, that—according to figures that the Secretary of State has given me—the average prison sentence imposed on burglars remains the same, at 15 months, whether it is for a first, second or third offence? Is it not bizarre that the average sentence imposed on a third-time drug dealer—30 months—is two months shorter than the average 32-month sentence imposed on a first-time dealer?

Does the Home Secretary accept that, in large part, the lack of consistency and progression arises from the Criminal Justice Act 1991, for which he voted? That Act also cut the maximum sentence for theft and non-domestic burglary by a third. Is it not the case that, just five years ago, the Government decided to resist proposals from my right hon. Friend the Member for Birmingham, Sparkbrook (Mr. Hattersley) to bring about greater consistency in sentencing?

The Secretary of State recently complained that the current sentencing system

"makes a farce and mockery of the Courts".

Would he not be more convincing, however, if he recognised that that "farce and mockery" is almost entirely of his Government's making and a result of their failure in the past 17 years?

On the issue of consistency and progression, does the Home Secretary accept that his proposals deal directly with only a limited number of offences? Therefore, does not consideration need to be given to our proposals for the Court of Appeal to have a duty to issue sentencing guidelines, after public consultation, in respect of all the most common or most serious offences?

We support the principle of the Secretary of State's proposal on the way in which court sentences should be explained to the public and to victims—so-called honesty in sentencing. Will the Secretary of State confirm that the proposal is not of itself intended to increase the overall prison sentence served? Will the ending of parole mean that there is no longer any assessment of risk before many long-term prisoners on determinate sentences are released?

My colleagues and I also support the principle that repeat rapists and similar offenders should receive indeterminate, reviewable sentences. We believe that there would be advantage in having a formally different regime from lifers for those offenders, as I think the White Paper accepts, but there needs to be further discussion on the matter.

To illustrate why we support the proposal, may I draw to the Secretary of State's attention a case to which the Minister of State, the hon. Member for Maidstone

(Miss Widdecombe), has already been alerted by one of my hon. Friends? In that case, a former spouse sexually assaulted his 11-year-old daughter and was gaoled for three years. On his release, he went almost immediately and raped one of his family's neighbours. He received a 12-year sentence. He is due to be released in June.

I understand from my hon. Friend that the police and the Prison Service are convinced that, on his release, the man will commit further offences against those people or others. So great is the danger that one of the families is having to be rehoused. I think that all hon. Members will acknowledge that that is intolerable. Reviewable, indeterminate sentences, proposed 21 years ago by the Butler committee, are needed and are strongly supported by us. Will the Secretary of State say, however, whether he thinks that the final decision might be made on application in open court and not necessarily by the Parole Board?

I refer to the Secretary of State's minimum sentence proposals. We do not argue with his purpose, which is to ensure that there is far greater certainty—for victims and offenders alike—that people who persistently burgle or deal in hard drugs receive appropriate tough, deterrent prison sentences. There are considerable doubts, however, about whether the Secretary of State's method will achieve his purpose.

The fact that, in the past 17 years, every previous Conservative Home Secretary has resisted inflexible minimum sentences may not persuade the current Secretary of State, but what has he to say of someone of whom he normally takes great notice, the hon. and learned Member for Burton (Sir I. Lawrence), who is Chairman of the Select Committee on Home Affairs? On 20 February 1991, he said:

"I do not like minimum sentences. They reduce the discretion of the courts, and all who practise in or know anything about the courts realise that human life spans an enormous width and that there are many degrees of blameworthiness.

Governments have resisted the idea of going down this slippery slope because if one case is allowed as an exception it becomes difficult to refuse other cases".—[*Official Report*, 20 February 1991; Vol. 186, c. 311-12.]

That was exactly the Home Secretary's position just 16 months ago, when the House was told by his Minister of State that, in the Secretary of State's view,

"The courts should be left to determine appropriate sentences in individual cases."—[*Official Report*, 3 November 1994; Vol. 248, c. *1336*.]

What does the Secretary of State say to one of the many objections raised by previous Home Office Ministers, that inflexible minimum sentences

"could result in juries acquitting more guilty men and women to avoid excessive punishment."—[*Official Report*, 20 February 1991; Vol. 186, c. 349.]—

the view put in 1991 by the right hon. Member for Oxford, West and Abingdon (Mr. Patten) when he was Minister of State, Home Office?

The right hon. and learned Gentleman—we congratulate him on this—has come a long way since his party conference speech. Exceptions to minimum sentences were not mentioned anywhere in that conference speech, but they are now. They certainly will be necessary to avoid injustice, but what guidance will be given to avoid inconsistency and injustice?

I think that the whole House knows that the Chancellor of the Exchequer has cut the Secretary of State's budget for each of the next three years. Will the Secretary of State therefore confirm that that is the main reason why his principal proposals cannot begin to take effect until late 1999, and will not take full effect until 17 years after that? Will he therefore confirm that, after 17 years of this Administration, the public are expected to wait for many more years before they receive the protection that they unquestionably need?

After 17 years and 10 criminal justice Bills, public confidence in the criminal justice system has never been lower. The Secretary of State must acknowledge that these proposals represent a rejection of almost everything that the Conservative party has done on sentencing during the past 17 years. Will the Secretary of State acknowledge that public confidence has collapsed not just because of inconsistency and lack of progression in sentencing?

Does the Secretary of State not understand that public confidence has also plummeted because, while crime overall in the past 17 years has doubled, burglary has increased by 150 per cent., rape has quadrupled and robbery has risen fivefold, convictions for all those offences are now far lower than they were in 1979? Does he accept that this much-heralded White Paper does nothing to tackle those problems?

Mr. Howard: As is so often the case with the hon. Gentleman, he huffs and he puffs and we are left wondering what his attitude to our proposals actually is. We thought that he might tell us just this once whether he was in favour of these proposals and whether he would support them. He made much of the need for greater consistency in sentencing but, as is so often the case with the hon. Gentleman and his party, he espouses the ends but denies the means. The way to obtain consistency in sentencing in the most serious of cases is to introduce precisely the proposals that are contained in the White Paper. We are still waiting to know whether the hon. Gentleman is in favour of the mandatory sentences.

Let me take the poignant case to which the hon. Gentleman referred in the course of his observations. He referred to what I think all hon. Members would regard as a dreadful case—a case of a man who, having committed an indecent assault and a rape, is now about to be released when everybody knows that he is likely to commit another offence.

Mr. Straw: I agree with the right hon. and learned Gentleman's proposals on that.

Mr. Howard: The hon. Gentleman says that he agrees with my proposals on that, but only 10 days ago he issued a policy document that set out a quite different proposal.

Mr. Straw: No.

Mr. Howard: Let me remind the hon. Gentleman. He has a short memory. He has already forgotten the contents of the proposal that he put out 10 days ago.

Ten days ago, the hon. Gentleman said that there should be a presumption in favour of an indeterminate sentence. A presumption in favour of an indeterminate sentence is a far cry from an automatic sentence with exceptions only for genuine, very special, exceptional circumstances. If the hon. Gentleman cannot tell the difference between those two, he simply does not know what he is talking about. It was a very different proposal indeed.

[Mr. Howard]

We still do not know whether the hon. Gentleman is in favour of the minimum sentences for persistent burglars or for persistent dealers in hard drugs. Those are at the core of my proposals to protect the public from the activities of such serious offenders. The hon. Gentleman now seems to wish to give the impression from a sedentary position that, for the most part at any rate, he agrees with the proposals. Let me remind him of not only what he said 10 days ago when he issued his policy document, but what he said about my proposals immediately after my speech at Blackpool.

On that occasion, he dismissed my proposals as

"ill thought through and ill considered."

The hon. Gentleman and his Front-Bench colleague, the hon. Member for Holborn and St. Pancras (Mr. Dobson), described my proposals as "daft". Either they are daft or the Labour party agrees with them. It ought to make up its mind which it is. The truth is that, as usual, the Labour party is at sixes and sevens. It does not know what to say or what to do.

The proposals will give the public the protection that they deserve, and it is about time the Labour party made its position clear.

Several hon. Members *rose—*

Madam Speaker: Order. I seem to have been listening to a debate rather than a statement, questions and answers. I insist that from now on questions are put directly to the Home Secretary briskly, and I am sure that they will be responded to in that spirit.

Mr. Edward Garnier (Harborough): Does my right hon. and learned Friend accept that the proposals that he has outlined this afternoon will be welcomed in Harborough? Does he further accept that the concept of the minimum sentence is not foreign to our law and that the introduction of further proposals on minimum sentences should be widely welcomed by the courts and those who wish to benefit from the protection of the courts?

Will my right hon. and learned Friend consider the introduction of sentences with both a minimum and a maximum, so that the well-behaved prisoner knows that he can serve the minimum, but the badly behaved prisoner who does not recognise his criminal behaviour may have to serve the maximum?

Mr. Howard: I am grateful to my hon. and learned Friend for his support. My proposal achieves what he suggested in the second part of his question in a rather more effective way, by making it clear that a maximum of 20 per cent. remission can be earned by good behaviour. We make it clear to prisoners exactly what the consequences of good and bad behaviour will be. So I think that my proposal achieves the objective that my hon. and learned Friend desires.

Mr. Alex Carlile (Montgomery): I thank the right hon. and learned Gentleman for allowing me to see the proposals earlier in the day. Now that we know that the shadow Home Secretary can be described as "Howard lite in a new blue can", will the Home Secretary tell those of us who are genuinely opposed to the substance of his proposals why it has taken 17 years for his burglar alarm to go off? Why does he not spend between £400 million and £1 billion on something useful, such as preventing crime before it occurs, instead of on locking up people who could have been prevented from committing crime after it occurs? Does he really believe that it is in the public interest to request, as he does in the White Paper, that judges pass not longer but shorter sentences?

Where does the right hon. and learned Gentleman get his evidence for the claim in the conclusions of the White Paper that there will be a reduction of 20 per cent. in an element of the prison population as a result of the proposals? If, as he says, it will take four years to bring the proposals on stream, why did he not introduce them four years ago? If he says that sentences that are too short are being passed, why has not the Attorney-General appealed against more of the sentences passed in serious cases?

Finally, will the Home Secretary tell us why he believes that it is right to impose minimum sentences of seven years' imprisonment on small-time heroin addicts for sharing out drugs among themselves on three occasions? They need the treatment that the Government are not providing rather than these absurd, populist proposals.

Mr. Howard: I congratulate the hon. and learned Gentleman. He has at least made the position of his party absolutely clear. He has made it crystal clear that his party is opposed to the proposals. We look forward to continuing the debate on the proposals with members and representatives of his party up and down the country. We shall particularly draw the people's attention to the way in which he dismisses those who traffic in hard drugs—those who are convicted for a third time of trafficking in hard drugs.

Mr. Carlile: Answer the question.

Mr. Howard: I am answering the hon. and learned Gentleman's question. I am explaining to him, if he will listen for a moment, what would happen if those who cause such desperate damage to others were dealt with in the way that he proposes. He referred to small-time traffickers in drugs.

Mr. Carlile: No—small-time heroin addicts.

Mr. Howard: These proposals are designed to deal with traffickers in hard drugs. It took only one Ecstasy tablet to kill Leah Betts and other victims of hard drugs. The hon. and learned Gentleman will, on reflection, be truly and deeply ashamed of the attitude that he has espoused.

Mr. Bob Dunn (Dartford): Does my right hon. and learned Friend accept that he is doing precisely what the British people want, and that the only people who will oppose his measures are the friends of the lawless? The lawful will want the action that he has announced. Will he confirm that there will be absolute rigour and consistency in sentencing and that the force of the law will fall with equal weight on all criminals found guilty, whether in the north, the south, Scotland, Wales or Northern Ireland?

Mr. Howard: I am grateful to my hon. Friend for his support. I am sure that his assessment of the public mood is correct. These proposals are brought forward not simply

for that reason, but because they represent a careful and precisely targeted response to the worst crimes that afflict the public and will achieve greater protection for the public, which has to be our overriding priority. The protection of the public must be paramount. That is why the proposals have been brought forward.

Mr. Robin Corbett (Birmingham, Erdington): Will more prisoners serve longer in prison as a result of the proposals? If so, where will the funds come from, to make that possible? Will the Home Secretary tell the people of Birmingham and the west midlands what the measures will do to counter theft, robbery and car crime, which are still rising?

Mr. Howard: I certainly expect the proposals for persistent burglars and dealers in hard drugs to lead to longer sentences and to their spending longer in prison. The same would apply to those who had automatic life sentences passed upon them for second serious sexual or violent offences.

The outcome is less clear in relation to the honesty in sentencing proposals. Their purpose is to enable the public to see clearly the effect of the sentence that is passed so that they are not cheated, as so many people feel at present, by nominal sentences of 10 years that turn out to be actual sentences of five years. That is not through any fault of the judges, but is the result of measures that have been passed by Parliament over many years. That will be the net effect of the proposals on the length of sentences served.

Mr. James Couchman (Gillingham): I am sure that the public will welcome my right hon. and learned Friend's proposals, even if the Liberal party does not. It has been said that those who commit serious sexual or violent crimes for a second time and who can expect open-ended sentences will have the inhibition not to harm or even kill their victims removed from them. What steps does he intend to take to differentiate between the indeterminate sentences that will be passed on such a criminal as opposed to those who kill?

Mr. Howard: I can indeed answer my hon. Friend's point. Most people who have just committed a rape are unlikely to be behaving or thinking rationally. They are unlikely to draw the inference that he suggests could be drawn from the fate that might await them. If they were to be rational, they would know that they would serve longer in prison as a consequence of any further criminal act that they might be tempted to commit.

The position under my life sentence proposal is that the judge would decide how long would be served for retribution and deterrence. He would decide that the prisoner should serve five years, for example, and then there would be an assessment of risk, after which, if it was safe to release the prisoner, he would be released. If someone murdered after having committed a rape, the tariff imposed by the judge would be very much longer even than that which would be imposed in a case of rape.

Ms Janet Anderson (Rossendale and Darwen): Could the Home Secretary explain why prison works? In the last six months of last year, as prison numbers rose, so too did recorded crime. Does he expect the proposals to result in a reduction in recorded crime?

Mr. Howard: We have seen a reduction in crime for the past three calendar years—only the third time that that has happened this century. That coincided with a significant increase in the prison population of about 25 per cent.

Most people readily recognise that, given that a relatively small number of persistent offenders commit a disproportionately large number of crimes, as will be confirmed by any police officer, if those persistent offenders are effectively targeted, brought to justice, convicted and imprisoned, it is not at all surprising that crime comes down. That has been happening, and it has played an important part in the reduction in recorded crime in the past three years.

Mr. Peter Bottomley (Eltham): May I point out that we ought to be looking not merely at the crimes that my right hon. and learned Friend counts, but, for example, at the reduction in drink-driving, which has saved 1,000 lives a year and has probably reduced serious offences by about a million a week? Changing the culture is important.

Will my right hon. and learned Friend accept my congratulations on the honesty in sentencing proposals, which are important to the public? Can he make it plain that, if there are to be life sentences for the worst murders, one of the penalties for those convicted is that they will be in gaol for life, while those who will not be a danger to society might be released earlier?

Mr. Howard: I am grateful to my hon. Friend and agree with everything he said—I can do so without qualification. I pay tribute to the work he did while he was at the Department of Transport to reduce the number of drink-driving offences. Perhaps he will agree that one of the factors that played a part in that reduction was the availability of minimum mandatory sentences in that context. The fact that someone was certain to lose his or her driving licence if convicted of an offence while drink-driving played a significant part in the reduction in the number of those offences.

Mr. Dennis Skinner (Bolsover): Is the Home Secretary aware that most people outside this place and many in here—certainly on Opposition Benches—reckon that the White Paper is just a blatant piece of electioneering? Is he aware of the reality in constituencies such as mine? Seventeen years ago, the doors of most of the houses in the pit villages would have been open at night. After 17 years, they are locked up tightly some two and three times over, and they are kicked in at 2 and 3 o'clock in the morning.

My constituents do not need the Home Secretary saying that crime is going down—they know the opposite is true. The social fabric is breaking down. The Government should not come here after 17 years and try to kid on the electorate that they have some answers to the problems. The truth is that mass unemployment and other social matters need to be dealt with urgently. This Home Secretary got elected to set the people free, and the prisoners got out.

Mr. Howard: I hope that the hon. Gentleman will reflect on the fact that recorded crime in Derbyshire, which was rising for many years before 1979, fell last year. I hope that he will join me in paying tribute to the Derbyshire police for their part in achieving that result. On reflection, I hope that he will be able to support the proposals to help ensure that that trend continues.

Mr. Jacques Arnold (Gravesham): The British public fully understand that crime is caused by criminals. Is it not the case that the proposals in the statement will mean that criminals will be removed from circulation for far longer and then the British people can sleep better in their beds, including in Derbyshire?

Mr. Howard: I entirely agree. I hope that my hon. Friend will understand if I associate Kent with Derbyshire in the context of his question. We have to take a range of measures across the board, of which longer sentences of imprisonment are only one aspect, to achieve a concerted attack on crime, which is what the people want.

Ms Angela Eagle (Wallasey): Will the Home Secretary explain how minimum sentences and maximum sentences are meant to act as a reasonable deterrent when, after 17 years of Conservative Government, the conviction rates are plummeting?

Mr. Howard: We need to improve conviction rates as well—and that is precisely what the police are doing. That is why it is important that the police use new methods of tackling crime, which they are doing to great effect; that is why it is important that we have more police officers, and we shall provide 5,000 extra police over the next three years; that is why it is important that we change the law to make it less easy for guilty men to walk free from the court, which we have done, despite the opposition of the Labour party; and that is why we intend to tackle these measures across the board, as I have indicated this afternoon.

Mr. Piers Merchant (Beckenham): Is my right hon. and learned Friend aware that ordinary citizens, including my constituents, will warmly welcome the measures that he has introduced today as bold and decisive? Does he agree that people are fed up with seeing criminals released early after inadequate sentences, and then seeing them commit the same or similar crimes again?

Mr. Howard: I agree entirely with my hon. Friend. We know that the feelings that he has expressed are widely held, and I believe that they are also soundly based. By introducing these targeted and focused measures, we shall be able to make a significant impact on the crimes that cause our constituents the greatest distress.

Mr. Harry Barnes (North–East Derbyshire): The prisons budget is to be cut by 13 per cent. in the next three years. What will happen now under the new provisions? What are the estimates of the extra expenditure that is needed for prison purposes? Will this mean that the 13 per cent. figure will disappear?

Mr. Howard: No, the 13 per cent. figure is part of a drive to achieve improved efficiency in the Prison Service, as we are endeavouring to do across our public services. Some of the private prisons have shown that it is possible to provide effective services at a lower cost in our prisons. Of course, the extra prison places that will be required as a consequence of the proposals will have to be paid for—we do not shrink from that. If the hon. Gentleman looks at paragraph 13.8 of the White Paper, he will find that all the details are set out there.

Mr. Roger Sims (Chislehurst): Is my right hon. and learned Friend aware that I served as a lay magistrate for 12 years before entering the House? Therefore, I understand very well the need for those involved in sentencing to have a degree of flexibility, to ensure that the punishment not only fits the crime but fits the criminal and the circumstances of the offence.

Does my right hon. and learned Friend agree that sentences must also take into account public attitudes to all specific offences? A number of judges and magistrates have failed to do that, which has produced the current state of affairs and the need for the White Paper, which we warmly welcome.

Mr. Howard: My hon. Friend's experience adds particular power and credibility to the point that he made. I am extremely grateful to him for his support. I think that his analysis will command widespread support.

Rev. Martin Smyth (Belfast, South): The Home Secretary's White Paper deals specifically with England and Wales. Will he be consulting the Secretaries of State for Scotland and for Northern Ireland? During last night's debate, we discovered that people move around much more and that we have a problem in transferring prisoners because of different sentencing patterns between the two jurisdictions. Is the Minister in a position to give some direction to the Director of Public Prosecutions or to the Crown Prosecution Service, which may have a problem in bringing forward cases for trial in the courts, which ultimately demoralises the police who apprehend the criminals?

Mr. Howard: The hon. Gentleman will appreciate that my responsibilities extend only to England and Wales. My right hon. Friends who have responsibility for Scotland and Northern Ireland have been closely involved in the preparation of the proposals, but I cannot answer for Scotland or for Northern Ireland.

Mr. Peter Griffiths (Portsmouth, North): Does my right hon. and learned Friend accept that while there will undoubtedly be a great deal of support for the fact that violent recidivists will be taken out of circulation for a longer period, there is another advantage in what he has announced this afternoon? With an ending of automatic remission and the introduction of indeterminate sentences, there will be a far greater incentive to the convicted person to co-operate with the prison authorities in his own rehabilitation.

Mr. Howard: I agree with my hon. Friend; that is a very important part of these proposals. As he will know, we have introduced a new regime of structured incentives for good behaviour and penalties for bad behaviour in our prisons, and I believe that the proposals will reinforce the effect of those measures in encouraging good behaviour in our prisons.

Mrs. Ann Clwyd (Cynon Valley): The Home Secretary recognises that rape is a very serious crime indeed. Why is it, then, that although recorded cases of rape have quadrupled since 1980, there have been fewer convictions than there were 16 years previously?

Mr. Howard: The hon. Lady raises a pertinent question, to which I do not think that anyone knows the answer. It is very important that we reviewed our criminal

justice system to ensure that the imbalance that had grown over the years, which had come to favour the criminal at the expense of the victim, was remedied. We have taken substantial measures to remedy that imbalance, notwithstanding the opposition of the Labour party, and I believe that, in time, those measures will achieve the object that I believe the hon. Lady and I share.

Mr. David Faber (Westbury): Did my right hon. and learned Friend see a poll published this week which claimed that 87 per cent. of the population believe that the judges have lost touch? Could not the same be said of the Liberal Democrat spokesman, the hon. and learned Member for Montgomery (Mr. Carlile), because presumably his only remaining ambition is to join their ranks? Given the disgraceful outburst that he made this afternoon, showing his complete lack of knowledge of drug abuse, should not the slogan of the Liberal Democrat party now be, "What's a little smack among friends?"

Mr. Howard: I very much agree with my hon. Friend, and especially in relation to his slogan, with perhaps one exception. It is not entirely fair to say of the hon. and learned Member for Montgomery (Mr. Carlile) that he has lost touch; he was never in touch.

Mr. Edward O'Hara (Knowsley, South): The Home Secretary must know by now that the British public will realise that it is an admission of failure for a Government to legislate constantly on crime, even to the extent of repealing their own recent legislation. Will he please draw an elementary philosophical distinction between doing something about crime, in the sense of achievement, and always to be doing something about crime, in the sense of fiddling with the system—or perhaps I should say fiddling the system? It is time that we adopted a wider spectrum of approaches to the causes, prevention and detection of crime, as well as merely constantly chasing the dragon, like a legislative junkie.

Mr. Howard: If the hon. Gentleman had listened to my statement, he would know that I advance a comprehensive approach, which ascribes importance to preventing crime and such measures. We recently set up the new Crime Prevention Agency precisely and specifically to deal with that aspect of the problem.

I believe that it is essential to keep these matters under review so that we can learn from experience, and so that we can see what is working and what is not and constantly improve our approach. I believe that that is the task of Government; I am sorry that the hon. Gentleman takes such a radically different view.

Mr. Michael Fabricant (Mid–Staffordshire): May I congratulate my right hon. and learned Friend on having the vision and guts to resist vested interests and on recognising that justice is there to serve the interests not of courts or judges, but of the people? Does he recognise that when the White Paper becomes law, people in Lichfield will sleep easier in their beds?

Mr. Howard: I very much hope that the proposals will play a part in helping people not only in Lichfield, but throughout the country, to sleep more safely in their homes, to walk more safely in their streets and to live in a safer Britain. That is the object of the proposals.

Mr. Max Madden (Bradford, West): Is not the statement a fitting obituary for a rotten and morally bankrupt Government who, in the past 17 years, have created a tidal wave of crime, poverty and deprivation? Do not minimum sentences show that the Government have lost confidence in courts, judges and juries setting suitable punishments for crimes? Is it not also the case, as the Tory Chairman of the Home Affairs Select Committee said some time ago, that successive Governments have resisted minimum sentences because they represent a slippery slope?

Mr. Howard: As I have said, one must be prepared to keep the matters under review, to learn from experience and to improve the system. As to obituaries, I think that I am correct in saying that the hon. Gentleman does not intend to stand again at the next election. Therefore, his question may be taken as his political obituary.

Mr. Michael Stephen (Shoreham): I refer my right hon. and learned Friend to a statement made today by the Police Federation, in which it said:

"We do not agree with the chorus of criticism from the judges. They should acknowledge their own responsibility for the current situation and they should not try to frustrate the will of Parliament".

Does my right hon. and learned Friend agree that it is time to put an end not to 17 years of Tory rule, but to 30 years of failure on the part of the judges to use the powers that Parliament has given them to protect the public?

Mr. Howard: I am grateful to my hon. Friend, and I welcome the support of the Police Federation. When I assess the views of those who have commented about my proposals in the past—and who no doubt will do so again in the future—I believe that it is extremely important to pay particular attention to those who are at the sharp end and who have the difficult task of dealing with dangerous criminals on our behalf day in, day out and night in, night out. I pay particular attention to the views of the police when I consider those matters.

Mr. Neil Gerrard (Walthamstow): Will the Home Secretary confirm the accuracy of press reports that the Home Office is predicting a rise of 10,000 to 12,000 in the prison population? Are those figures based on the assumption that his proposals will lead to a 20 per cent. drop in offending? If that is so, upon what evidence does he base that assumption, as I have yet to see any evidence that tougher sentencing reduces offending—or on whether tougher sentencing is right or wrong as a means of punishment? If he has made those assumptions and they prove incorrect, the prison system will become so overcrowded as to be unmanageable.

Mr. Howard: It is true that my proposals are expected to lead to an increase in the prison population, and the details are set out in the White Paper. It is true also that we have made an estimate of the deterrent effect of sentencing along those lines, and it is the best estimate that we can make. If the hon. Gentleman wishes to see studies that have shown that greater certainty as well as severity in sentencing is likely to have a deterrent effect, I refer him to the studies by Beyleveld in 1980, Lewis in 1986 and Burnett in 1992—all of which support that proposition.

Mr. Nick Hawkins (Blackpool, South): My right hon. and learned Friend will be aware that I have campaigned

[Mr. Nick Hawkins]

for a number of years—both during my time in criminal law practice at the Bar and during my four years in this place—for precisely the sort of measures that he has introduced this afternoon. The victims of crime will particularly welcome the removal of automatic remission of sentences. The victims of crime and the general public want the sentence that is passed by the courts to be the sentence that is served.

Unless the Labour party supports each and every one of my right hon. and learned Friend's proposals, the people will know that it is soft on crime and soft on the causes of crime. They know also that the remarks of the Liberal Democrat spokesman, the hon. and learned Member for Montgomery (Mr. Carlile)—who talked about being soft on drug offenders—may be treated with nothing but contempt.

Mr. Howard: I agree with my hon. Friend. I suspect that we may have to wait a little longer to hear the Labour party's definitive position. However, there is no doubt about the position of the Liberal Democrats, which I believe will be of great interest to people up and down the country.

Mr. Alun Michael (Cardiff, South and Penarth): Given his responses, how can the Home Secretary claim that his statement is comprehensive? Where are the proposals to prevent and cut crime? Where are the plans to catch criminals? That is what he promised us in the first paragraph of his statement. He has presided over the chaos that has seen only one crime in 50 punished by a court. Why does not the Home Secretary propose action, as we have, to get a grip on youth crime and to nip it in the bud instead of allowing it to drift until it is too late?

In his statement, the Home Secretary said that the average sentence for a third conviction of dealing in hard drugs is four years, with automatic release after two and a half years. What will the average be after his proposals are implemented, and from what date will his standard apply?

Finally, on honesty in sentencing, the White Paper states:

"The Government does not expect these proposals to result in a general increase in the period of time offenders serve in prison."

Will the Home Secretary acknowledge that statement?

Mr. Howard: The hon. Gentleman mentioned helping to bring people to justice and reducing crime. He will remember that when we introduced proposals on bail, in the Criminal Justice and Public Order Act 1994, his party sought to undermine those proposals.

Mr. Michael: Answer the question.

Mr. Howard: I am answering the hon. Gentleman's question. When we introduced measures to change the right to silence in the Criminal Justice and Public Order Act 1994 so that more guilty people would be convicted, his party opposed those proposals root and branch. So it is no use the hon. Gentleman asking where the proposals are, because they are now on the statute book, despite opposition from his party.

On the last two questions the hon. Gentleman raised, the answers are as follows. As is clear, a third-time offender for the offence of trafficking in hard drugs will serve a minimum sentence of seven years. That will be an honest sentence. I cannot tell the hon. Gentleman what the average will be, but the minimum sentence will be seven years.

On honest sentencing, we have always made the position clear. The purpose of the honest sentencing proposal is to end a state of affairs in which the public are misled into believing that the nominal sentence passed by the court is the sentence served, when in truth the relationship between the two is very different. I want the public to know that the sentence passed by the court is the sentence served, and that is the purpose of the honest sentencing proposal.

I look forward in due course to a clear statement from the Labour party about its position on the proposals. On its response, we may be able to reach a considered judgment about the significance that we can attach to the rhetoric of which it is so fond.

BSE

4.26 pm

The Minister of Agriculture, Fisheries and Food (Mr. Douglas Hogg): With permission, Madam Speaker, I should like to make a statement about the emergency Council that has just concluded in Luxembourg, and related matters.

The high level of public concern over bovine spongiform encephalopathy continues to cause very grave problems, for farmers and for all parts of the food chain. The whole Government have been following the situation closely, day by day, in an effort to identify any problems as they arise and to find solutions.

It is clear that many of the problems faced by the beef industry are the result of precipitate decision taking by the European Union, in particular the decision to ban exports from this country, and what I can only describe as panic reactions by other countries. Many of the steps that have been taken against our exports have no justification on scientific grounds. I hope that soon normality will return.

I will come in a moment to the outcome of the Council, which ended this morning in Luxembourg. At home, my ministerial colleagues in the Ministry of Agriculture, Fisheries and Food and other members of the Government have kept in close touch with industry organisations, to obtain a full picture of what is going on in a fast-moving situation. We are meeting any organisations wishing to talk to us about how their members are affected.

There are encouraging signs that confidence is returning. In particular, I am encouraged by reports from retailers that their customers are looking for beef in the shops again. Retailers have met my right hon. Friend the Secretary of State for Health and have reported that they need to begin buying beef again. So those with cattle to send to market should know that there are willing buyers for British beef.

From our discussions with supermarkets, it is clear that they would favour a quality assurance scheme based on identification of those herds that have had no cases of BSE, or on a computer system that could trace animals back to the farm of origin. We agree. My officials are working up some detailed proposals as a matter of urgency. The wholesale trade is beginning to return as a result of the revival of retail sales.

The Government recognise that one consequence of those developments that needs to be addressed immediately is a blockage in the slaughterhouse sector as a result of cash flow problems, which may be inhibiting the flow of meat through the system. The Government are determined to restore movement in the processing system, to enable market confidence to recover.

As an immediate but necessarily interim measure, I can announce that all slaughterhouses that continue to handle beef will with immediate effect be relieved from Meat Hygiene Service red meat inspection charges in respect of 1995-96 and for an interim period. My Department will seek additional resources to recover the loss of revenue to the Meat Hygiene Service through a supplementary estimate.

To quantify the difficulties facing the industry, qualified expert accountants are being appointed forthwith to provide urgent advice on the industry's immediate problems and how they could be solved. Those solutions will be the subject of close consultation with the slaughtering industry. The Government are simultaneously approaching the banking industry to establish whether it would be prepared to extend trade indemnity credit insurance to underwrite the costs to the slaughterhouse sector of taking on new business.

I hope that I have by those means demonstrated the Government's commitment to maintaining the vital contribution of the slaughterhouse sector to the meat processing chain and to the essential immediate task of facilitating the flow of fresh meat through the system to meet retailers' and consumers' demand. Additional money will be provided to my Department's Votes to cover the cost involved.

We have continued to discuss with farmers the orders that we laid last week. As a result of those discussions, I have today laid an order amending the Beef (Emergency Control) (Amendment) Order 1996, to provide for the age of cattle to be determined either by dentition—the stage of development of teeth—or by reliable, independently verifiable documents. I believe that that will remove the main cause of uncertainty among farmers, and will help to restore the flow of cattle through auction markets and to abattoirs.

The public and retailers are rightly looking for reassurance that the process of slaughtering cattle and dressing carcase meat is carried out with the greatest possible attention not only to legal requirements but to general standards of hygiene. The Meat Hygiene Service has a crucial role. That agency, which was set up just a year ago, has performed a key part in our action against BSE since then. The agency's budget will need to be increased to cover the cost of additional staff, who are now being recruited.

In view of the heightened public interest, I propose to introduce a quarterly published bulletin, which will report the latest results of audits by the Meat Hygiene Service and the state veterinary service on compliance with meat hygiene regulations and enforcement action taken. I hope that that will demonstrate the continuing efforts that the UK meat industry is making progressively to raise hygiene standards in our slaughterhouses. I shall shortly be placing before the House performance targets for the Meat Hygiene Service for the coming year, which will need to reflect the additional duties resulting for the service from the new measures that I am announcing today, and those announced on 20 and 25 March.

I refer next to the outcome of the Council of Agriculture Ministers that started in Luxembourg on 1 April and ended at 6 am this morning. Considerable efforts were made over two days and two nights by Minister Lucchetti for the Presidency and Mr. Fischler for the Commission, but I fear that the propositions on the table at the end of the meeting did not meet our central requirement that the export ban should be lifted. As our partners were not prepared to accept that decision, it was not possible for the United Kingdom to endorse the Council's conclusions. The BSE crisis has presented the whole Community with a challenge of major proportions.

The Community's response must be prompt and effective but also soundly based and fair. The United Kingdom is making a major effort to contribute to that Community response. Arrangements will be introduced to

[Mr. Douglas Hogg]

ensure that all bovine animals over the age of 30 months at the time of slaughter will not enter the human food or animal feed chains. This scheme will take the place of the compulsory deboning for which SEAC recently called.

It is right that we should contribute in this way to solving the Community problems caused by the BSE crisis, but the UK also has the right to expect a fair and balanced response from our Community partners to the particular difficulties faced by UK producers. The Community's first response to the BSE crisis was the imposition of a total export ban against UK animals and products. That ban is not justified. It is not based on sound scientific analysis. It is disproportionate; it should be removed.

I made it clear that, in order to be acceptable to us, any Council conclusions must include either agreement to lift the ban forthwith, or a procedure and timetable to that end. It was not possible to reach such an agreement. I was therefore unable to endorse the drafts that were before the Council, despite the real progress that has been made. It remains my intention to work in co-operation with other member states and the Commission to find a satisfactory and rapid solution to the problems that confront us all.

Nevertheless, some progress was made over the past few days, and there are specific steps that we can now take, with financial support from the European Union. First, we shall make preparations to bring into effect as soon as possible the arrangements for cattle over the age of 30 months, as they come to market, to be slaughtered under special supervision and destroyed and disposed of in a safe manner. As a matter of urgency, I am considering with the Secretary of State for the Environment the options for the disposal of the additional waste that would arise from these measures. Our objective is to identify the best practicable option and to ensure that the waste is dealt with in a manner that protects the environment and human health.

I emphasise that this is not a compulsory slaughter scheme, in the ordinary sense of that phrase. The objective is to take older cattle, cows and bulls which come on to the market for slaughter at the end of their working lives, and to take steps to prevent them from entering the human or animal food chain.

Some attention was focused at the Council on the possibilities for selective culling of animals most at risk of BSE. I believe that some of our Community partners have exaggerated ideas of what is possible in this area, based on a misunderstanding of the nature of BSE. We shall, however, be giving further thought to the idea, in consultation with our farming organisations and others. We can proceed only if there are practical and cost-effective proposals.

The Community has taken important steps to stabilise market prices. Intervention support has been extended. The Council authorised purchases of up to 50,000 tonnes in the EU as a whole in April. The beef management committee met while the Council was in session to put that into effect. In Great Britain, the new categories eligible for intervention bring coverage up to 22 per cent. of total UK beef production. Meat will have to be from animals under 30 months of age. These changes will help to stabilise prices in the United Kingdom and in other member states. They will help to restore confidence to the UK beef sector and to restart activity in the slaughtering sector.

Lastly, with all the new developments of recent days, and those that I am now announcing, it is important that all concerned in the industry know where they stand, or can find out immediately if they are not clear. To meet that need, I have made arrangements to supplement the helpline service which my Department has been providing to deal with inquiries about BSE and the beef export ban. Staff will be on duty during the Easter holiday to deal with business inquiries. My and other Ministers' private offices will be on duty during the Easter recess to deal with queries and questions raised by colleagues.

In conclusion, I believe that the steps the Government have taken up to now rest on sound science. Our objective is still to take science as our best guide. Our senior adviser on the science, Professor Pattison, has told us that, with the latest steps we are taking, beef is for all practical purposes safe to eat—safer than it has ever been.

I see signs that public confidence is returning, but the position taken by our European partners is unhelpful. The sweeping ban on our exports is unjustified, and the Government will continue to work by every means possible to get that ban lifted.

Meanwhile, with all that is being done by Government and by industry, British beef is a product of which we can be proud. We shall do all that we can to promote and to protect it.

Dr. Gavin Strang (Edinburgh, East): Is the right hon. and learned Gentleman aware that the deal that he has brought back from Luxembourg is the worst of all worlds, and that, once again, a weak Government who are isolated in Europe have completely failed to represent effectively Britain's interests in Europe? Is it not clear that, far from securing a complete package of measures to tackle the crisis, he is now expected to go back to Brussels with a proposal for an additional selective slaughter scheme?

Does the Minister recognise that the industry is now confronted with huge uncertainty? It has no idea how many additional cows the Government will condemn, no idea whether any new proposal for selective slaughter will be acceptable to our European partners, and no idea when Britain will again be allowed to export beef and beef products.

Will the Minister give us some idea of the number of cattle that are likely to be targeted under any new selective slaughter scheme? Will he give us some idea of the criteria that the Government are likely to take into account in deciding whether to slaughter individual animals or herds? Will he today give the House an undertaking that any slaughter under those policies will be carried out humanely? *[Laughter.]* I am surprised that Tory Members do not regard that as an important point, because many cattle will be slaughtered, and surely we want to ensure that it is done humanely.

Will EU funds will be available only for compensation to farmers—towards the cost of buying the cattle to be slaughtered—or can the funds also be used for the incineration and destruction of the carcases and for other expenses associated with these measures?

Will the Minister give the House some idea—there was nothing about it in his statement—of the total cost of all the measures to tackle BSE announced by the Government in the past two weeks, and will he tell us what will be the likely net cost to the UK after taking into account the reduction in our rebate from the EU budget?

The Minister advised the House last Thursday that the Lord President of the Council was to convene a committee to address the problems faced by abattoirs and by the wider rural economy. I have noted what he said about waiving red meat inspection charges in slaughterhouses, which I welcome, and what he said about making an approach to the banking sector to help slaughterhouses, but will he assure us that, following the deliberations of the Lord President's committee, he will still make a statement on additional assistance for our slaughterhouses and for the broader rural economy? Perhaps he can give me some idea about when we are likely to obtain that announcement.

Does the Minister agree that, although a selective slaughter policy may have a part to play, consumers will be confident that British beef is safe only when all the measures necessary to keep the BSE agent out of human food are in place, and are being effectively enforced? In that connection, I welcome what the Minister said about Government support for quality assurance schemes. The Prime Minister may shake his head, but I remind him that that was one of the seven proposals put forward by the Labour party last week, which he derided in the House. I welcome the Government's willingness to provide assistance for a quality assurance scheme.

I do not need to remind the House that the Government's record on enforcement of BSE controls is appalling. As the right hon. and learned Gentleman is aware, part of the agreement reached last night involves a requirement that those controls will be reinforced and that the state veterinary service will make additional inspections. In that context, I again welcome what the Minister said about the state veterinary service and the Meat Hygiene Service. Can he confirm that the Government will provide the required additional money not only to the Meat Hygiene Service, as he said, but to the state veterinary service?

Although I welcome the proposal for quarterly reports of those inspections, in the current circumstances, monthly reports might be more appropriate. [HON. MEMBERS: "What about hourly reports?"] I ask him to consider that. *[Interruption.]* I am sorry that the Prime Minister may not like such a proposal, but it is an important issue.

Does the Minister agree that the industry and consumers cannot simply be left in limbo? Will he go back to the Commission to try to secure earlier meetings of the Council of Agriculture Ministers and of the European Union Standing Veterinary Committee with the view to reaching an earlier agreement with the EU on the measures that are required? Surely he recognises that it is quite unacceptable that we should carry on until the end of this month in the worst of all worlds.

Mr. Hogg: It is sometimes desirable for the House to focus on the main issues and that is why I am going to make some general remarks to the hon. Member for Edinburgh, East (Dr. Strang). Let me make the first one so the House can hear it clearly: the hon. Gentleman did not condemn the ban. More than that, on many occasions in the past few weeks, he has expressed his understanding for it. It is not surprising that in Europe we find a determination to keep the ban in place when people there hear members of the Labour party supporting it. I regard that as outrageous, and so does the farming community of this country.

Let me make another point of a general kind. The Labour party has said on many occasions that it is not prepared to stand alone on Europe. What does that mean in this context? It means that it will acquiesce in anything that is done to the destruction of our interests. The truth is that those abroad who have heard the hon. Gentleman's contribution this afternoon will take comfort and say that they are justified in imposing restrictions on British goods.

I shall make another point. The hon. Gentleman also asked what we have done to support agricultural and other interests. I shall tell him. We have brought to this country either the fact or the prospect of millions of pounds; we are waiving the Meat Hygiene Service charges; we have provided very satisfactory assistance for the renderers; last week, we provided financial assistance for farmers producing young bull calves; we succeeded in negotiating a very satisfactory intervention package; and we have secured the promise of hundreds of millions of pounds to support the implementation of the 30-month rule, and other funds are available. None of that would have been done had the hon. Gentleman been discharging my responsibilities.

Mr. John Biffen (North Shropshire): I tender my respects to my right hon. and learned Friend for the stamina that he has shown in the past few days at the Council of Ministers. During that great ministerial marathon, when our partners proposed a more intensified policy of slaughter, did they also advance scientific and veterinary evidence to justify those proposals? If not, were the proposals designed to promote a restoration of consumer confidence? Was my right hon. and learned Friend able to point out that it is price that is restoring consumer confidence in this country, that it is price that will continue to restore consumer confidence in this country and that, in this context, we do not want another politically motivated, complicated, bureaucratic scheme for an intensification of slaughter policy initiated by those who do not have British agricultural or consumer interests at heart?

Mr. Hogg: My right hon. Friend makes an extremely important point. First, I am grateful to him for his kind remarks as to the length and character of the discussions of the past two and a half days.

There may be a case for a tightly targeted selective culling policy to reduce the incidence of BSE, provided that it is clear that it is tightly targeted and will actually bring about a substantial diminution in the number of BSE cases. What is not justified is a wholesale slaughter of herds which may, to some small degree, have been affected by BSE. Should we contemplate such a policy, we would have to be clear, according to the scientific facts, that what we were doing was justified.

Mr. Simon Hughes (Southwark and Bermondsey): My colleagues and I agree with the Minister about three things. First, we agree that beef is safe. That view has been endorsed now that the World Health Organisation has today made its definitive pronouncement, and we hope that that information will be disseminated as widely as possible. Secondly, we agree that the best thing that we can achieve from negotiations is the lifting of the ban by the European Union. Thirdly, we agree that confidence is returning, although it has been so battered that it is probably only 15 per cent. of what it was before the crisis began.

[Mr. Simon Hughes]

If the Minister really wants to make sure that confidence returns as quickly as possible and that the ban is lifted as quickly as possible, may I suggest that the Government should do what he criticised the Europeans for not doing—take prompt and effective action? It is no good announcing today that, as a matter of urgency, there will be a slaughter of cattle more than 30 months old when that idea has been on the table—put there by us, and by others—for nine days. It is no good announcing today a quality assurance scheme as a matter of urgency when that idea has been on the table for eight days. It is no good announcing a credit guarantee scheme today when that idea has been on the table since at least the weekend.

The Minister has to understand that, if the Government act quickly, we can expect Europe to respond. Will he admit to the House that the lesson of the previous two days' negotiations has been that the more and the sooner we co-operate with our partners, the better and more effective their response will be? Will he go back to Europe as soon as possible, and show that he has done what he is still only talking about?

Mr. Hogg: I am glad that the hon. Gentleman has confirmed what the House has heard many times—that British beef is safe and can be eaten with confidence. I am also glad that he endorsed the Government's view that it is essential for the European Union to lift the ban. Confidence is returning, and one of the reasons for that is the prompt action taken by the Government. As soon as we have been in a position to do so, my right hon. Friend the Secretary of State for Health and I have made full statements to the House on a number of occasions, setting out the conclusions of the scientific committee, together with a range of measures that we were advised to take. It should also be borne in mind that we have implemented, promptly and fully, all the recommendations of the specialist advisory committee. That in itself should reassure the consumer about the safety of British beef.

We have also acted promptly in ensuring that money has become available from the European Union to provide substantial financial assistance for British farmers. Let me draw particular attention to the large intervention package that has been secured, and to the support for the endorsement of the 30-month rule.

Mrs. Edwina Currie (South Derbyshire): My right hon. and learned Friend has my sympathy. Does he agree that Ministers were absolutely right to make public announcements about the most likely link between animal and human disease, rather than attempting a cover-up or denial? Was he himself not right, at the beginning of the problem, to call for a selective slaughter policy to restore public confidence? Are the Government not right to seek, and to continue to seek, the support of our customers and colleagues in the rest of Europe, if we are ever to restore the export market for our beef that has been so profitable to this country?

Mr. Hogg: My hon. Friend has made an important point. I am grateful for her support.

We have an absolute duty to put considerations of human health above all others. I was pleased to hear my hon. Friend say that we had a paramount duty to make a full statement to the House. We had an obligation to the House, and nowhere else, to make the first statement about the conclusions that the Spongiform Encephalopathy Advisory Committee had reached and the recommendations that it was making. It may be fashionable in some quarters to suggest that reports should be made elsewhere first, but I do not accept that. The accountability of Ministers is to the House, and we shall always discharge that duty first, and above all others.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Is it true that we shall be paying back, over a period of years, large sums that are supposedly coming from a European source? If so, would it not have been better for the Minister to abandon his slightly disoriented bobbing like a cork between here and Brussels, and got on with finding both the money and the health measures to support the industry and customers? If he did that, random testing could go ahead, details of the destruction of carcases could be given to the industry and, above all, people would know how the ashes will be disposed of. If the Minister is entirely safe and secure in his knowledge of those public health measures, will he please get on with it and stop wandering around the continent?

Mr. Hogg: The hon. Lady's first question related to the rebate. Labour Members would be well advised to acknowledge that the fact that we have a rebate of this kind is due to the determination of my noble Friend Lady Thatcher. Had it been left to the Labour party, we would not have a rebate to talk about.

Facilities are available for disposal. We have a comprehensive range of rendering and incineration plants. As I made plain in my statement, disposal will be undertaken in a safe and proper way and in accordance with measures that have been considered in conjunction with my right hon. Friend the Secretary of State for the Environment.

Mr. Michael Jopling (Westmorland and Lonsdale): Does the Minister realise that, although his announcement today of assistance for slaughterhouses and of the banks' involvement is welcome, the effect could be serious for the infrastructure in some rural areas? I am thinking of a wider group than, say, slaughterhouses. Hauliers and markets could be badly affected. At the same time, the bad effects could be much more regionalised. Will he try to avoid considering the problem in a broad, overall way? He should realise that the bad effects are especially likely to be felt on the west side of England and in Wales and Scotland, for instance, where the bulk of livestock are to be found.

Mr. Hogg: My right hon. Friend, who knows an enormous amount about the industry and who has represented its interests with great distinction in a number of capacities, is entirely right. My right hon. and hon. Friends are conscious of the possible consequences for the infrastructure of rural areas and for various industries and economic communities associated with the agricultural community. Because of that, we are watching carefully the impact of this crisis. The waiving of Meat Hygiene Service charges, which was announced in my statement, is one clear example of the way in which we have responded.

My right hon. Friend makes the point that we should be alert to differences between rural areas and regional areas. I was enormously helped in my negotiations in

Brussels by Lady Denton, who represents the Northern Ireland Office interest, and by Lord Lindsay, who represents the Scottish Office interest—they played a considerable part in what happened in Luxembourg. I am most grateful to them.

Mr. Roy Beggs (East Antrim): I welcome, on behalf of my colleagues, what the Minister has done to date for the beef industry, but the crisis has been calamitous for Northern Ireland, where we are so dependent on the beef industry. We do not believe that the intervention that is on offer will be sufficient to take us out of the difficulty. While the Minister's officials are considering the possibility of quality assurance schemes, may I remind him that every animal is tagged and computer recorded? In addition, there are quality assurance schemes in Northern Ireland, Scotland and elsewhere in the United Kingdom. The ban must be negotiated away.

Our erstwhile European partners have been motivated by self-interest and opportunism to seek advantage for themselves. Will the Minister consider getting good British beef, whether it is from Ulster, Scotland, Wales or England, on the move where there is already quality assurance, while further schemes are being introduced?

Mr. Hogg: I appreciate the considerable importance of the beef industry to Northern Ireland's economy. That was one reason why I was grateful for the presence of Lady Denton, who represents the agriculture interest in the Northern Ireland Office. The hon. Gentleman is right when he draws attention to the characteristics of beef management in Northern Ireland, which go a long way to making it one of the finest parts of the UK's beef industry. In particular, he draws attention to tagging and to the management of beef.

The hon. Gentleman is wholly right to say that it is vital to negotiate the ban away. He has my undertaking that we shall do our utmost to bring that about at the earliest possible opportunity. He makes some interesting points about especially well-protected herds. I shall consider that specifically to find out whether it offers a way forward.

Sir Peter Emery (Honiton): Will my right hon. and learned Friend accept that any reasonable person will know that, in the past few days, he has been fighting desperately for the farming industry? Does he realise that the panic reaction started with the disgusting speech of the hon. Member for Peckham (Ms Harman) from the Dispatch Box?

May I ask my right hon. and learned Friend about one specific issue—very small farms, especially those in the west country—which was not covered in his statement? The intervention of the banks will obviously help, but, often, some of the farmers who need help most will have the least equity to assist the banks in granting further loans. Will he therefore consider the position of farms that are stuck with calves and beef which are readily available for export, which they cannot move and for which there is not necessarily a market in Britain? Those people will need considerable help from the Government as soon as possible.

Mr. Hogg: I am extremely grateful to my right hon. Friend for his kind remarks—compliments from him are compliments indeed. I agree with his comment on the speeches—there have been a number of them—of the hon. Member for Peckham (Ms Harman). They have done considerable damage to the integrity of British agriculture and to our reputation, although that is a much lesser matter.

As to small farms, especially those involved in the dairy and beef sectors, my right hon. Friend is right. We shall of course keep a careful eye on particular sectors, whether they be regional or part of a particular industry such as agriculture. I think that he will accept, however, that the important thing is to try to restore market confidence and, through that, to ensure that there is a restoration in prices and movement of beef through auction houses and marketplaces. What I announced last week with regard to the premium in young bull calves will be of particular assistance and value to his constituents. The substantial enlargement of the intervention policy, which we were able to secure in Luxembourg, will be of particular value to those constituents. I hope that, when it works out, he and I can agree on that.

Mr. Harry Barnes (North–East Derbyshire): This is a serious situation that calls for statesmanship. Our Front-Bench spokesman asked a series of questions regarding further regulations, and not one of them was answered. The Minister blew his top and gave us a rant. Will he reconsider now? He will have notes on all those questions. Will he give the answers to which hon. Members and my constituents are entitled? Pits in my constituency have been destroyed by the Deputy Prime Minister and the farms are due to be destroyed, so we need serious answers to serious questions.

Mr. Hogg: In the last two weeks, I have had the pleasure of standing at this Dispatch Box on three occasions—I have made two statements and I opened a debate last Thursday. My right hon. Friend the Secretary of State for Health has done likewise. We had the pleasure to appear before the Select Committee for Health and the Select Committee for Agriculture for about six hours, in the course of which we answered many questions. The hon. Gentleman should read the record more assiduously.

Sir Geoffrey Johnson Smith (Wealden): My right hon. and learned Friend is well aware that Conservative Members have total confidence in the way in which he has conducted the negotiations, but is he also aware that there is a growing loss of confidence in the integrity of the European Union Ministers with whom he is trying to negotiate? If, despite Britain's efforts, the worldwide ban continues much longer, will my right hon. and learned Friend assure the House that he will consider its legality?

Mr. Hogg: I am grateful to my hon. Friend for his kind remarks as to confidence. He is indeed right when he refers in those terms to the action of some overseas Ministers. It is important that we secure a lifting of the ban. The justifications for the imposition and the maintenance of the ban are not based on logic or science, and we are looking earnestly and urgently at the legality of what has been done.

Mr. Alex Salmond (Banff and Buchan): Will the specialist accountants, who are to tell us how much damage has been done in our constituencies, look specifically at the problems of the specialist beef producers, people who are not dairy farmers—to whom

[Mr. Alex Salmond]

culled cows are an additional aspect of income—but whose entire income is caught up in livestock; people who cannot market their cattle; people, perhaps on the hills, who cannot sell their cattle? Will instruments such as the hill livestock compensatory allowance, which exist to help such people, be used?

Has the Minister seen the report from TSB Scotland, which estimates that, even with a 25 per cent. decline in demand, there will be 6,000 job losses throughout the food chain in Scotland? Does he know that that report also said that the way forward was a specifically Scottish policy response to mitigate the scale of the disaster?

When the Minister was unable to persuade our customers to lift the ban, did he then, as the hon. Member for East Antrim (Mr. Beggs) recommended, go down the route of arguing that the quality assurance schemes in Scotland, Northern Ireland and elsewhere can be used to identify cattle as BSE-free? Can they get through the ban until such time as all cattle can be identified as BSE-clear? Every single producer in my constituency to whom I have spoken during the past two weeks has agreed that only by declaring them BSE-clear can cattle from Scotland or elsewhere be marketed with confidence in the future.

Mr. Hogg: On the narrow question that the hon. Gentleman asked regarding accountants, their purpose is to look to the abattoirs. On the broader question of the prosperity of the Scottish beef industry, I am happy to say that, while I was in Luxembourg, I had the resolute assistance of my noble Friend Lord Lindsay, who has responsibility in this matter and who was acting on the express instructions of my right hon. Friend the Secretary of State for Scotland, who is deeply concerned.

We are looking closely at what we can do to address the question of quality herds. There may well be steps that we can take in that direction, but most important of all is the need to restore market confidence and urgently to provide financial assistance. In that context, the package of intervention to which I have referred, and the action that I announced last week with regard to young bull calves, is of particular importance.

Rev. Ian Paisley (North Antrim): Does the Minister agree that many British people look ill on criticisms offered by Ministers in Europe from countries where BSE is not even a notifiable disease? How do they know how much BSE is in their own country? Before they try to cast the mote out of the British beef industry's eye, they should cast the beam out of their own.

I thank the Minister for his tribute to the Ulster beef industry, but does he remember that our economic structure is built around that industry and that Northern Ireland is worse off now because of this crisis than any other part of the United Kingdom, because 70 per cent. of its beef is exported, and that trade has come to a standstill?

The present stocks in storage are worth £26 million. They are not moving at all. They cannot be guaranteed to be from cattle under 30 months old. Will those stocks come under the new rule, and will clearly defined help be given to the meat processing industry to get rid of those stocks, to empty the stores and to get the herds that are being fed and overfed on the farms to the abattoirs for slaughter and for export?

Mr. Hogg: The hon. Gentleman has made a formidable case for the quality of British and Northern Irish beef. The quality of Northern Ireland beef is well known to hon. Members and is an essential part of the economy of the Province. It is for that reason that I was so pleased when I was in Luxembourg to have the assistance of my noble Friend Lady Denton.

The hon. Gentleman is entirely right when he makes the point that we in Britain have a range of controls relevant to the issue which are better than those that operate in most countries abroad, most particularly with regard to the disposal of specified bovine offal and the controls relating to feeding material for cattle. In those two respects, our regime is infinitely better than those on mainland Europe, where there must be many cases of undetected BSE. I am sceptical about the extremely low figures that are formally reported.

Mr. Alan W. Williams (Carmarthen): Will the Secretary of State comment on the work of Dr. Harash Narang, the Newcastle virologist who, in the early 1990s, developed a test for BSE in live animals? Is that not the very kind of test that we now need, so that, instead of destroying whole herds, we can destroy only individual animals carrying the BSE virus?

Mr. Hogg: The hon. Gentleman is right to say that a test for live animals would be a great advantage in the control of BSE, in terms of animal health and protecting the human food chain. Unfortunately, we do not have such a test at the moment and the best advice that I have is that there is no sensible prospect of our having one in the near future. I wish that that were otherwise, for the reasons set out by the hon. Gentleman, but the best advice that I have been given is that there no immediate prospect of one.

Mr. Tom King (Bridgwater): Is my right hon. and learned Friend aware that we recognise how hard he has battled in an extremely difficult situation, not made easier by the precipitate action of the European Commission, which has now made it difficult in the short term to remove the ban? My right hon. and learned Friend was right not to rush into some additional agreement on the slaughter policy, which could have been catastrophic for a large section of British agriculture and which would have been impossible to explain to Britain, or, perhaps, in the courts.

As we are not in the short term to have the assistance of our partners in Europe, the answers and the solutions to how to restore confidence now lie with ourselves. With the good sense of the British people, that will return, but it will take time. During that time, we must ensure that the fabric of the industry in all its aspects is, as far as possible, kept in being so that the restoration of confidence can be met by a continuing industry.

In that respect, my right hon. and learned Friend will have to deal over Easter with a raft of different questions from all sections of the industry, which, at the moment, have no answers to many difficult questions about which they are concerned. I am sorry to hear that he will be working over Easter, with his colleagues and the officials in the Department, but it is right that he should do so, in order to ensure that we have answers to as many questions as possible and that farmers, hauliers, slaughterhouses and everyone else involved have somewhere to go to get the answers that they need.

Mr. Hogg: My right hon. Friend is right. I am sure that the precipitate action of our European partners has been

one of the major causes of the lack of confidence. I agree with him on the importance of an early removal of the ban.

My right hon. Friend is also right when he says that confidence will return, but it will take some time to return; therefore, he is also right when he draws attention to the need to maintain the fabric of the industry in the meantime. It is against that background that I was anxious to secure, and did secure, an extended intervention package, which he knows about. That is why the Government are looking to the financial support that is available for implementing the 30-month rule so as to buy in the old milking cows, for example. My right hon. Friend will also recall what I said last week about financial support in respect of young bull calves.

Mr. D. N. Campbell-Savours (Workington): Can we have some of the figures for which my hon. Friend the Member for Edinburgh, East (Dr. Strang) asked? Taking the rebate into account, what would the net cost to the United Kingdom have been if the Minister had been able to settle on a 70 per cent. rather than 80 per cent. EC contribution and a general settlement? What is the margin that we are arguing about, without taking into account the additional requirement placed on us for a general slaughtering of the herd?

Mr. Hogg: I cannot answer that question in the broad because there are so many elements within the spending policies. There is, for example, spending on intervention and spending in support of the 30-month rule. There would be spending if we went down the road of a highly targeted slaughter policy such as I have described. A range of spending would be possible. Unless and until I have the costs of carrying out the specific programme, I simply cannot answer the question that the hon. Gentleman posed.

Sir Kenneth Carlisle (Lincoln): My right hon. and learned Friend has earned the thanks of the House for the tenacity with which he has pursued these difficult negotiations. We know that his aim is to restore confidence and underline the fact that British beef is safe. In that respect, will my right hon. and learned Friend consider a credit insurance scheme which would ensure payment to those who trade in cattle and beef products? Such a measure would help to bring confidence back to markets.

Mr. Hogg: I am particularly grateful to my hon. Friend and neighbour for his kind remarks, especially as he knows as much about agriculture as any person in the House. What he said about credit is of importance. I said earlier today that the Government were approaching the banking industry to establish whether it would be prepared to extend trade indemnity credit insurance to underwrite the cost to the slaughterhouse sector of taking on new business. That is adopting the type of approach that he has been good enough to suggest.

Mr. Gordon Prentice (Pendle): Is this not an inadequate and complacent statement? What comfort does it give to an abattoir in my constituency, Woodhead Brothers, which has laid off 70 people and has 200 people on part-time working? All that the Minister offers is relief from meat hygiene charges. The slaughterhouse in my constituency wants compensation for loss of earnings, loss of stock value, redundancy costs and so on. The statement is inadequate.

Safety is a related matter. Is it not the case that Ministers gave parliamentary replies earlier this year which confirmed that people from the veterinary service visited slaughterhouses between September and December last year and found that 48 per cent. were handling bovine offals inadequately? In the light of those facts, how can the Minister possibly come here and invite the British people to express confidence in British beef?

Mr. Hogg: I think that most hon. Members will find a certain mismatch between the hon. Gentleman's comments. He correctly says that the abattoir in his constituency has seen a dramatic fall-off in business, with the consequences to which he has referred. The reason for that is loss of confidence. Why do we have a loss of confidence? There are a variety of reasons, but one is alarmist allegations, such as those made by the hon. Gentleman and by the hon. Member for Edinburgh, East (Dr. Strang), which are not put into proper context, and which are damaging to confidence. The hon. Gentleman's constituents will be well advised to suggest to him that he thinks rather more carefully before he opens his mouth.

Mr. John Greenway (Ryedale): Did the other Ministers in the Council give any assessment of the state of the beef market in other member states? Why is it that, in spite of this wholly unforgivable ban on British beef, the market for beef in other member states remains depressed? Does my right hon. and learned Friend agree that the ban itself has created a loss of confidence in British beef? Is it not about time that the rest of Europe recognised that the measures that he has announced today mean that beef from Britain will be the safest in Europe?

Mr. Hogg: My hon. Friend is right. There has indeed been a substantial fall in beef consumption across the European Union. One of the reasons for that lack of confidence is the imposition of the ban. That was one of the arguments that I urged on member states during the council meeting in Luxembourg. It adds powerfully to the argument that the ban should be lifted. My hon. Friend, who knows a great deal about agriculture as he represents a constituency which has powerful beef interests, is entirely right when he says that the quality of British beef, the safeguards taken in the industry, the controls in the slaughterhouses and the controls on the preparation of animal feed are in most respects infinitely better than those that can be found in most places on mainland Europe.

Mr. Ieuan Wyn Jones (Ynys Môn): As 90 per cent. of all agricultural activity in Wales is in the livestock sector, I am sure that the Minister will be aware of the tremendous impact that the loss of confidence in the beef industry has had on people in Wales in the farming, slaughterhouse and meat processing industries, and in the wider rural economy. He will therefore understand my pressing him further on the need to obtain early agreement in Europe to lift the ban. What further measures does he consider reasonable to meet concerns that might be felt in Europe? Will there be urgent discussions before 29 April so that we can be sure that when that meeting comes, we shall be in a position to move forward significantly to lift the ban, even if we cannot do it before then?

Mr. Hogg: The hon. Gentleman is right to draw attention to the serious consequences that have flowed from the crisis in the beef industry, for the rural part of Wales. What he says about that is wholly right. He also asked specific questions—whether there would be urgent discussions and whether action would be taken between now and the Agriculture Council fixed for the end of April. The answer is yes. There will be very many discussions at official and, if necessary, other levels to impress on our European partners the urgent need to lift the ban. The hon. Gentleman can be reassured on that point.

Mr. Nicholas Budgen (Wolverhampton, South–West): I declare an interest, as I have a suckler herd. Does my right hon. and learned Friend recognise that there is a world of difference between using culled cows for a different purpose and the compulsory, and, as he admits, unnecessary, slaughter of healthy working herds which, in some instances, have been kept by families for generations? If the European Union, in its arbitrary, unaccountable way, forces our farmers to make such a cruel sacrifice to the European gods, it will be remembered for many a long year.

Mr. Hogg: My hon. Friend is right to draw attention to the distinction between the slaughter of cull cows—that is, cows that have reached the end of their milking careers—and the slaughter of herds for other reasons. He would probably agree that it is desirable to reduce the incidence of BSE in herds. Because he has a logical mind, he would agree that it is at least desirable to find whether we can work out with our scientists and experts whether it is possible to determine those herds which, for various reasons, are most at risk. If we could do that, it might be justifiable to pursue a highly targeted slaughter policy in respect of some such herds to reduce the incidence of BSE.

Mr. Brian Wilson (Cunninghame, North): Will the Minister accept that the real bottleneck in the system is in companies such as Highland Meats of Saltcoats in my constituency, which are packed to the ceiling with meat that has been boned, chilled and packaged ready for supermarkets or export and for which there is no market? What is in his statement to assist such companies to clear that blockage so that, when confidence recovers, there is somewhere for the farming industry to sell its products?

Mr. Hogg: The hon. Gentleman may have overlooked my point about the evidence that there are some signs of market confidence coming back. That is the most encouraging thing at the moment. If there is movement at supermarkets and other retail outlets, the blockages will be removed. That is the only way to provide continuing prosperity in any industry. He should, in the first instance, observe the extent to which market confidence is reviving.

Sir Colin Shepherd (Hereford): Is not the quickest way to get back to firm foundations to reassert the scientific foundation for the argument? If that is re-established, the export ban could be more easily lifted. What steps are my right hon. and learned Friend and his officials taking to persuade the European Standing Veterinary Committee to reassess the matter on the basis of scientific knowledge? Secondly, will he keep a close watch on consumption? If it should be that the apparent resurgence of market confidence is not being sustained other than by severe discounting, and that his intervention scheme is not sufficient, will he consider the introduction of a make-up scheme?

Mr. Hogg: We shall clearly have to keep consumption and confidence under careful review. I hope that one of the consequences of what I announced today and at the end of last week, and what was asserted in Luxembourg, may go some way to restoring confidence. If it does, and market confidence picks up, it will have a dramatic effect on the prosperity of the industry.

My hon. Friend is entirely right to assert the importance of resting policy on science. He rightly asks what steps we are taking to ensure that those who advise European institutions, especially the Commission, are in possession of the scientific information. Throughout last week, we had experts in Brussels who were consulting with those who advise the institutions of Brussels and we shall ensure that that contact continues. Indeed, I made it absolutely plain to the Ministers around the Council table that I was anxious that they should be put in possession of the all the relevant scientific information that I had at my disposal, and that will be done.

Several hon. Members *rose—*

Madam Speaker: Order. Questions on the statement have ended.

ROYAL ASSENT

Madam Speaker: I have to notify the House, in accordance with the Royal Assent Act 1967, that the Queen has signified Her Royal Assent to the following Acts:

Chemical Weapons Act 1996

Prevention of Terrorism (Additional Powers) Act 1996

Victims of Communism (Commemoration)

5.34 pm

Mr. Harold Elletson (Blackpool, North): I beg to move,

That leave be given to bring in a Bill to require Her Majesty's Government to establish a permanent memorial to the victims of Communism; and to promote appropriate methods of honouring their memory.

Outside the infamous Lubyanka building in Moscow, tucked away on the edge of what was until recently known as Dzerzhinsky square, is a small memorial to the victims of Stalin's labour camps. To my knowledge, it is their only memorial and it lies on the cold earth like an unvisited gravestone in an untended cemetery.

Political executions, deliberate politically determined famine and the appalling conditions of the labour camps killed millions of people in the Soviet Union. One Russian historian, Roy Medvedev, says that 12 million people were executed. Another, Dmitri Volkogonov, says that 22 million were either executed or died in the camps. Robert Conquest, quoting Soviet statistical work, says that 8 million people died in the famine of the 1930s, which was caused by the brutal policy of forced collectivisation. Stalin said:

"One death is a tragedy; a million is a statistic."

Those are Soviet statistics. How many millions died in the cultural revolution in China? What of Korea, Albania and Romania?

Few people have been brought to trial for the crimes against humanity committed by communist regimes throughout the world against their own people. In those countries lucky enough to have thrown off the shackles of Leninism, Stalinism, Maoism and other forms of Marxism, there has been no effective process of decommunisation in the way that Germany was denazified at the end of the second world war. By ignoring the past, we learn nothing from it and are probably condemned to repeat it.

Communism is stronger now than at any time since the fall of the Berlin wall. Chinese destroyers fire missiles at targets in the straits of Taiwan and threaten a democratic republic as free elections are held. In Russia, the Communist party, resurgent and unrepentant, is mounting its challenge to President Yeltsin with reawakened vigour. North Korea looks menacingly over its border to the south. Communism is not dead; it continues to present a greater threat than any other ideological system to the traditional freedoms of western civilisation. Its historical record shows it to have been more destructive and brutal than even the Nazi tyranny, yet its crimes are forgotten and the threat of its re-emergence is ignored.

It is 50 years since Winston Churchill made his famous speech to the students of Westminster college at Fulton, Missouri, in which he warned that an iron curtain had descended across the continent of Europe. The fact that that curtain has been lifted is due in no small part to Britain's resolute opposition throughout the cold war to communism and everything that it symbolised. Our victory in the cold war, the break-up of the Soviet Union and re-emergence of the nation states of eastern Europe as independent democracies was a triumph of which Great Britain can be proud. It was achieved by our determination to remain strong and unyielding in the face of evil, despite all the protestations of left-wingers, so-called peace campaigners and fellow travellers.

History will remember the west's victory in the cold war as the greatest achievement of Margaret Thatcher and Ronald Reagan. That victory should be celebrated along with the other proud moments in our history when Britain fought off tyranny and championed the cause of freedom, but it should be celebrated in a different way, because the enemy has not been finally vanquished. Totalitarian ideologies such as communism or fascism cannot be entirely destroyed once they have begun to seep into the well-springs of human consciousness. They continue to hold their poisonous allure and, at times of crisis, the vulnerable, the weak and the desperate are drawn to them. That is why we must remember the past and commemorate those who suffered or were sacrificed. My Bill seeks to provide for a permanent memorial to the victims of communism.

It is right that there should be such a memorial in this country. British troops fought to prevent the consolidation of the Bolshevik regime during the Russian civil war. They fought for freedom against communism in Korea and during the Malayan emergency. Britain was at the centre of resistance to communism during the cold war.

There is another reason, however. Britain became a refuge to hundreds of thousands of people who fled from communist regimes, so we should have some permanent memorial. Thousands of Chinese, Hungarians, Poles, Ukrainians, Balts and Czechs came to Britain because they were driven out of their own homes and countries. The freedoms that they had known ceased to exist and they fled to this country to make new homes in towns such as Leeds, Bradford and Manchester. They found a refuge here from the political system that had destroyed their families, friends and nations, but they have no memorial, no garden of remembrance, no cenotaph and no public recognition. There is no church service for them; no civic reception; no two minutes' silence. It is time that Britain gave them a permanent memorial to everything they lost and everything we have to cherish by the preservation of our freedom.

I do not intend to suggest what the memorial might be—perhaps a simple sculpture in a public park or a much grander project, such as a museum or an archive which could preserve the experience of those who died, fought or suffered. It might also record those who sought to explain, apologise or collaborate—those many prominent leftists and other fellow travellers who, by design, wickedness or naivety were prepared to see their country go the way of Hungary or Czechoslovakia.

My Bill would also require the Government to promote other appropriate methods of honouring the victims of communism. There could be no more appropriate method than for them to ensure that the truth about communism, about those who suffered and still suffer under it, about those who excused it and about those who heroically resisted it is taught in our schools. The left-wing political correctness that has progressively crept into some of our schools, driving British heroes such as Nelson, Wellington or Churchill into the margins of history text books, should be replaced by history lessons that teach the lessons of history.

[Mr. Harold Elletson]

The history of communism in the 20th century is a history of bloodshed, suffering, misery and evil. We must ensure that that dark period of human history is never forgotten. A memorial to the victims of communism would help us lest we ever forget.

Question put and agreed to.

Bill ordered to be brought in by Mr. Harold Elletson, Mr. Jonathan Aitken, Mr. Peter Ainsworth, Mr. Nigel Evans, Mr. Geoffrey Clifton-Brown, Mr. Henry Bellingham, Mr. Michael Fabricant, Mr. Matthew Banks, Mr. John Sykes, Mr. Iain Duncan Smith, Mr. Bernard Jenkin and Mr. Nirj Joseph Deva.

VICTIMS OF COMMUNISM (COMMEMORATION)

Mr. Harold Elletson accordingly presented a Bill to require Her Majesty's Government to establish a permanent memorial to the victims of Communism; and to promote appropriate methods of honouring their memory: And the same was read the First time; and ordered to be read a Second time upon Friday 12 July and to be printed. [Bill 103.]

Orders of the Day

London Regional Transport Bill

Not amended (in the Standing Committee), considered.

New clause 1

REPORTING TO PARLIAMENT, ETC.

'In section 34 (annual report) of the London Regional Transport Act 1984, in subsection (3)—

(a) after paragraph (b), there is inserted—

"(bb) include details of any agreement entered into or continuing during the year in question under the provisions of section 3(2A) or 3(2B) above, together with a general description of the purpose and scope of each such agreement;"; and

(b) in paragraph (c), for the words "section 3(2)" there shall be substituted the words "section 3(2), 3(2A)(a) or 3(2B)".'.—*[Mr. Spearing.]*

Brought up, and read the First time.

5.42 pm

Mr. Nigel Spearing (Newham, South): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): With this, it will be convenient to discuss also the following amendments: No. 3, in clause 1, page 1, line 24, after 'out', insert

', with the consent of the Secretary of State,'.

No. 4, in page 2, line 2, at end insert—

'(2) After subsection (8) of that section, there shall be inserted the following subsection—

"(8A) Where the consent of the Secretary of State is required to any agreement entered into by London Regional Transport under the provisions of this section, the Secretary of State shall lay before each House of Parliament notification of his consent together with a general description of the purpose and scope of any such agreement, not less than one calendar month before the agreement is to come into effect.".'.

No. 8, in clause 4, page 3, line 14, leave out '34(3)(c),'.

Mr. Spearing: New clause 1 concerns the visibility of the decisions taken by London Regional Transport and the Secretary of State, whoever he or she may be. Quite apart from the merits of this important Bill and what it may permit, the new clause, which is in two parts—one requires additions to the annual report and the other requires the consent of the Secretary of State to any agreements—will essentially give visibility, as I think we can all agree. I hope that it will at least attract the Government's sympathy and assent in principle, because it pursues their advertised policy of open government.

To argue the case for the two safeguards, I have perforce to talk a little about the agreements that would have to be reported under the new clause in London Regional Transport's annual report and the other sort of agreements that I believe—and which the House should believe—the Secretary of State should have the power to assent to. Alas, to argue the merits of the two safeguards, some description of the Bill is necessary, without which it is impossible to understand their importance.

The intention behind the Bill is to

"extend, and facilitate the exercise of, the powers of London Regional Transport to enter into and carry out agreements; and for connected purposes."

That is the long title of the Bill, which further emphasises that the agreements are at the centre of the legislation.

In shorthand, the Bill extends in certain respects London Regional Transport's power over and above the powers that it has in existing legislation. It adds to the London Regional Transport Act 1984. Section 3(2) of that Act reads:

"London Transport shall have power to enter into and carry out agreements with any person for the carrying on by that person, whether as agent for London Regional Transport or otherwise, of any activities which London Regional Transport have power to carry on".

As one might expect, it gives London Regional Transport the power to contract for those persons for those purposes.

Section 2(1) of the 1984 Act gives London Regional Transport the general duty to

"secure the provision of public passenger transport services for Greater London".

Clause 1 of the Bill extends the agreements in two ways. It adds two powers to section 3 of the 1984 Act. I shall paraphrase because the Bill is complex. The first is to have power with the consent of the Secretary of State

"to enter into and carry out an agreement with any person for the carrying on by that person ('the contractor') of any activities which London Regional Transport does not have power to carry on if the agreement includes provision for one or more of the following".

Constitutionally, the Bill is extraordinary, because it extends the existing powers granted to London Regional Transport under the 1984 Act without specifying what the activities should be, providing that one or more of three criteria are covered in the agreement with the said person or contractor.

This is a legally permissive Bill that allows lawyers, contractors and London Regional Transport a doorway to walk through into territory that is not perceived and might be unknown. For that reason, the nature of the agreement ought to be included in the London Regional Transport annual report as my new clause provides.

The remarkable thing about clause 1 is that it includes three necessary criteria in relation to the contractors. The first is the carrying on of activities that are already under the power of London Regional Transport. The second is the provision by the contractor of

"services ancillary to the provision of public passenger transport services",

which goes beyond the present Act. The third criterion is the most remarkable. It concerns

"the use by the contractor of land or other property owned by London Regional Transport, or transferred to the contractor by London Regional Transport for the purposes of the agreement."

I shall deal with the merits of that later. That is the legal outline of the Bill—it is the first type of agreement, with rather complex criteria.

As the Bill says, the agreements are within the consent of the Secretary of State. Therefore, the Secretary of State has to consent to them. As the Bill stands, London Regional Transport does not have to lay anything before Parliament about that, nor does anything have to appear in its annual report—unless the Government agree to this change.

The second sort of agreement is even more remarkable in constitutional and legal terms. The proposed subsection (2B) provides:

"Where an agreement has been entered into under subsection (2) or (2A) above, the powers conferred on London Regional Transport by that subsection include power to enter into and carry out other agreements with other persons".

There is a cascade of these two sorts of agreement, with two sorts of contractor. It is remarkable—London Regional Transport can enter into and carry out this second type of agreement with other persons for the purpose of

"(a) fulfilling any condition which must be fulfilled before the agreement can have effect; or

(b) satisfying any requirement imposed by or under the agreement."

In other words, there is a labyrinth of agreements for purposes that are outside the scope of the present Act. For those reasons, the consent of the Secretary of State is wanted not only for the first set of agreements but for the second set of agreements. This presents a possible scenario that must be made public. I shall use the analogy of doorways to a remarkable legal labyrinth, which could give powers to the Secretary of State, to London Regional Transport and to a contractor for all sorts of activities that are not related to the provision of public transport.

The Minister for Transport in London quite openly said in Committee and in the notes on clauses—but it is not stated in the Bill—that this is to facilitate the use of what is known, in the jargon, as the private finance initiative. The private finance initiative allows private money—from banks or investment agencies—to be used for public purposes to finance, design, build, maintain and operate any public facility for which the contract with the money lender, the bank or the credit house is available. That is tremendously important these days, because we hear about these things in many respects, even in relation to hospitals. Perhaps in the future it will relate to roads—I do not know. The PFI is now a big thing in local government and there are attempts to use it to provide all sorts of public facilities, of which public transport is one.

The Minister was very kind and answered a question that I submitted for answer yesterday. It is not yet in *Hansard*—I believe that it will be printed in a big version that will come out shortly. I asked for details of how visible the public finance initiative agreements would be. The Minister provided the following answer:

"The London Regional Transport Bill does not require London Transport or its subsidiaries to publish information about their projects under the Private Finance Initiative. Invitations to tender will continue to be published where this is a legal requirement."

I do not know what the legal requirement is—in other words, they may not be visible at all. The answer continues:

"I understand that London Transport will normally announce the award of such contracts, giving an indication of their value and duration where this information is not commercially sensitive."

We know that, very often, information on contracts of this sort is commercially sensitive.

The answer continues:

"When a contract ends, assets transferred from London Transport to the contractor at the beginning of the contract will generally be transferred to a new contractor, or will revert back to LT until a new contract can be let. Assets no longer needed by LT may remain with the contractor, and LT already have powers to make such disposals."

I submit that that answer suggests that we would not get the visibility that the new clause and the consent of the Secretary of State would like if it is laid before Parliament.

[Mr. Spearing]

I suggest that, without these safeguards in the legislation, all sorts of things will happen—there will be a cascade of agreements for purposes that are not necessarily known or clear. That is why amendment No. 4 states that consent should be laid

"together with a general description of the purpose and scope of each such agreement".

I refer to agreements of both sorts.

I hope that the Minister—purely on the merits of public visibility, of open government and of the arrangements that we may come to in later amendments—will agree to my proposal. Without it, how can we tell what is going on? This also applies in relation to the annual report, because it will show the use of powers that Parliament is giving the Government.

If we give powers to the Government, they should have a responsibility to tell us how they are using them, both in respect of London Regional Transport's annual report and the use of the Minister's powers when he gives consent under the Bill. He should be accountable to the House for that agreement. That is covered in amendment No. 3. Such matters should be laid before Parliament. I hope that, purely on the merits of open government, the Minister will give a nod in the direction of the new clause and these amendments—perhaps better ones could be made in the other place. In any event, public visibility is absolutely essential.

Mr. Peter Brooke (City of London and Westminster, South): The new clause is called "Reporting to Parliament". Yesterday, the Secretary of State answered a written question on crossrail, a project that was always envisaged as requiring private finance and thus, presumably, falling within the scope of the Bill. Some hon. Members might think that crossrail would have been a fit subject for a statement rather than a written answer.

I was tempted to put down a private notice question, which may or may not have been accepted by Madam Speaker. However, I did not, because I recognise how much business the House has to discharge today and because Ministers at the Department of Transport, in a manner not universal in other Departments, have earned a considerable fund of good will in the House as a result of the regularity with which they have kept hon. Members fully informed of developments in their Department.

Both Madam Speaker and the Leader of the House periodically invite hon. Members to use their ingenuity in raising certain matters on certain business. Crossrail is a serious issue. The House is due to rise later today and I would be grateful if the Minister for Transport in London, when responding to the new clause, gave those of us who are London Members a greater reassurance than was available in the bald question and answer yesterday.

Ms Glenda Jackson (Hampstead and Highgate): I strongly endorse everything that was just said by the right hon. Member for City of London and Westminster, South (Mr. Brooke), who in a sense picked up on the opening remarks of my hon. Friend the Member for Newham, South (Mr. Spearing), who tabled new clause 1.

My hon. Friend the Member for Newham, South spoke of openness and transparency. It is extraordinary that the Bill, which contains powers for London Regional Transport to enter into money-raising ventures with outside organisations under the Government's private finance initiative, contains nothing relating to crossrail.

6 pm

Yesterday, an announcement should have been made to London and Londoners, via a written answer, that a project that the Government have consistently supported—certainly for the past two years, every time that the issue has been raised with them—has in effect been axed. That is scandalous, not least because £150 million of taxpayers' money was spent on the feasibility study.

A vast body of opinion in the capital city—in commerce, in industry, in the financial sector, among commuters in London and among millions of commuters who, morning and evening, travel into this city to their place of work—regarded crossrail as part of a properly integrated public transport system that would begin to solve the problems of transport and traffic. It is unacceptable that that body of opinion should have been sloughed off.

The Secretary of State for Transport made no statement to the House. Had he done so, that would have allowed London Members, who obviously believe that their constituents' interests have been betrayed, and hon. Members with constituencies outside what might be deemed the Greater London area, justifiably to question him about why what we understood to be a promise—a strong commitment by the Government—has been reneged on.

It is almost farcical that we are debating a Bill called the London Regional Transport Bill in the light of the fact that crossrail—which all who have an interest in this city and its transport would have argued was integral to the proper expansion of London Regional Transport, which I understood was what the Bill is about—has been taken away without any presentation to the House. It is nothing short of scandalous.

Mr. David Chidgey (Eastleigh): As has been said, the new clause proposed by the hon. Member for Newham, South (Mr. Spearing) is about openness in the Bill, and he should be congratulated on the assiduous way in which he has looked through the Bill.

The main question is, however, why should we debate a Bill that will not be used to any effect? I refer to the comments by the hon. Member for Hampstead and Highgate (Ms Jackson) about crossrail.

It is a scandal that we are in the ludicrous position of trying to pass a Bill that would allow London Regional Transport to use the PFI to create better transport for London, to provide a major artery connecting the City to Heathrow for the first time, yet here we are in a position in which the Bill can no longer be used to implement such a scheme.

I shall leave further remarks until later in the debate.

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): I am grateful to the hon. Gentleman. I have been very tolerant. The new clause is headed "Reporting to Parliament, etc."

Mr. Brian Wilson (Cunninghame, North): I hope that your tolerance will last a few more minutes, Mr. Deputy Speaker. Obviously, we hoped at some stage of the

proceedings to mention crossrail, which is very relevant to the Bill, and to some extent the right hon. Member for City of London and Westminster, South (Mr. Brooke) set the hare running. If the Minister is to discuss the issue, I hope that a few remarks of my own can be accommodated before he does so.

The Bill is a mouse of a Bill, which may already have had more parliamentary time on the Floor of the House and in Committee than it warrants. The contrast with other, far more controversial, pieces of legislation is obvious, but so is the contrast between the treatment of the Bill and the failure of Ministers to come to the House to explain, and face questions on, the apparent collapse of the crossrail project.

Whereas the Bill may facilitate some useful but modest joint ventures between public and private sectors within the activities of London Underground Ltd., the abandonment of crossrail is an enormous issue for London and beyond and at least £150 million of taxpayers' money has been squandered, yet no opportunity has been offered for the House to hold Ministers to account. I hope that at least a small voice will emerge from the House tonight, to the people of London especially, that the Labour party at least believes that the priorities with which we are confronted are entirely wrong.

Tonight we should be holding Ministers to account for the collapse of crossrail to facilitate the utterly unwanted privatisation of Railtrack. I regret that we do not have the opportunity to do so in a more procedurally correct way than we are attempting to follow at present. I, too, will leave my further remarks on the subject until later in the proceedings, but it is important, as the right hon. Member for City of London and Westminster, South rightly raised the crossrail issue, to place on record at this stage the fact that we, too, believe that it is absurd to discuss the Bill without discussing crossrail.

The Minister for Transport in London (Mr. Steve Norris): I never cease to marvel at the ingenuity of my right hon. Friend the Member for City of London and Westminster, South (Mr. Brooke), which he demonstrated admirably today. I, in my naivety, came prepared to discuss the Bill—a mistake that I make all too frequently in the House. I have on occasions instructed officials in the Department that it would be appropriate for all officials other than those concerned with the subject of the Bill to attend, because the ones who know something about the Bill are never required, whereas one frequently wants to call on all the others.

Mr. Wilson: Is the Minister not admitting a structural weakness in his Department, if the people who know something about crossrail are different from the ones who know something about London Regional Transport?

Mr. Norris: The issue is that I came prepared to discuss the mouse of a Bill—the Bill that the hon. Gentleman and I know will make modest improvements to the ability of London Regional Transport to enter into several PFI and related projects—and to discuss the amendments tabled by the hon. Member for Newham, South (Mr. Spearing), which I am sure enjoy the hon. Gentleman's full support. Mr. Deputy Speaker, if I had known that you would show the tolerance to which I suppose I should have become accustomed in the years of sitting under your chairmanship, I might have come better briefed to deal with crossrail.

Let me deal with the substance of the issue in passing. I would have deeply regretted feeling that I had shown discourtesy to the House in the matter of crossrail, and it would indeed have been a discourtesy, had my right hon. Friend the Member for City of London and Westminster, South in effect said something that was at variance with the oft-repeated line that we have taken in relation to crossrail.

The line was that it was important, in the capital city of London, for these major capital projects to emerge sequentially, first, because of the cost implications of running more than one mega-project at a time in the city—bill costs are classically about £500 million a year—and, secondly, because of the disruption, of which my right hon. Friend will be well aware, that might be caused to this city if more than one such project were running at a time.

My right hon. Friend the Member for City of London and Westminster, South will be prepared to admit—I suggest, somewhat at variance with Opposition Members—that in the past few weeks London has had some extraordinarily good news. We had the very good news that the Jubilee line extension is still on track to open on 28 March 1998. I shall be there, and I hope to see you there too, Mr. Deputy Speaker, as well as many of my hon. Friends. I am sure that my right hon. Friend will cut some ribbon or slice some cake on that occasion.

In addition, my right hon. Friend will know that we hope thereafter to see the completion of the Thameslink 2000 project—a £600 million project. Thereafter, we shall embark on the channel tunnel rail link extension, with the tens of thousands of new jobs that it will bring, especially to east London and Stratford—a fact which I had hoped that the hon. Member for Newham, South, if no one else in the House, would have acknowledged with pleasure. It is appropriate, therefore, that we should make it clear that the right time for crossrail to start—for the record, we remain committed to that project—is as the channel tunnel rail link project ceases.

My right hon. Friend made it crystal clear that crossrail will follow the channel tunnel rail link—no more and no less. In an ideal world—or the world of fantasy finance inhabited by the hon. Member for Hampstead and Highgate (Ms Jackson)—it might be possible to assume that all the good things will come at once. The hon. Lady always makes great addresses to the House without having talked first to the Opposition Treasury spokesman, her hon. Friend the Member for Dunfermline, East (Mr. Brown). Were she to consult him, she would find him rather less than forthcoming on the issue of running several projects of that scale in London. Indeed, he would be hard pressed to countenance the level of investment that we have seen in London in the past 10 years.

Ms Glenda Jackson *rose—*

Mr. Norris: I shall complete my point, as the hon. Lady might like to reply to it. I do not propose to detain the House; I simply wish to respond to the hon. Lady.

Mr. Deputy Speaker: Order. The Chair will not allow the Minister to detain the House on that subject. I have shown more than usual tolerance. The Minister must now return to new clause 1, which is before the House for consideration.

Mr. Norris: I accept your ruling, Mr. Deputy Speaker. Logic suggests that you are correct, and that those who

[Mr. Norris]

have sought to divert the debate are trading too much on your customary courtesy. Leaving clearly on the record the Government's commitment to the scheme and the rationale behind my right hon. Friend's statement—both of which, if one looks at them independently and objectively, are perfectly rational and are evidence of a well-structured policy—I now turn happily to new clause 1 moved by the hon. Member for Newham, South.

The new clause requires LRT to include in its annual report not only a description of the purpose and scope of any agreement entered into under new section 3(2A) but a similar account of any subsidiary agreements that are entered into. The hon. Gentleman should understand that the existing legislation requires LRT to report any contracts which have been entered into that will affect the co-ordination of public passenger transport services. That is the qualification on the obligation to publish. In clause 4(2), the Bill extends the requirement to publish similar contracts—those that are made under the new powers—in the same way as those contracts made under the old powers. To the extent that the hon. Gentleman is concerned about ensuring a continuity of the duty to publish, I am happy to reassure him that that provision is contained in clause 4(2).

I fear that new clause 1 is unduly onerous—I know that the hon. Gentleman is a great supporter of London Regional Transport, so he will understand why I say that. For example, it would require the publication of the details of contracts that are, quite rightly, commercially confidential. The hon. Gentleman should recognise that that is not a cloak under which Ministers can hide, but a perfectly proper commercial arrangement that ensures that LRT is able to go about its normal commercial activities. For example, new clause 1 would affect the contractor's financial backers in relation to any arrangements that LRT might make under the Bill. Therefore, I believe that the new clause would not sensibly extend the powers of disclosure, but would prove extremely unhelpful to LRT.

As to amendment No. 3, proposed subsection (2B) in clause 1 enables LRT to enter into subsidiary agreements with persons other than the contractor to allow a main private finance initiative deal to be achieved. It is important to bear that in mind, as it is the cornerstone of the Bill. It follows that some of the projects that we envisage will result from the PFI shall involve contracts of considerable value. Therefore, we believe that it is reasonable for both LRT and the contractor's financiers to be able to give each other a direct assurance in respect of their rights if the contractor should default for any reason. LRT has no powers to enter into such agreements under the London Regional Transport Act 1984—hence the need for the Bill.

The hon. Gentleman's amendment proposes that those subsidiary agreements should be subject individually to the consent of the Secretary of State. As it stands, the Bill requires the Secretary of State to give his prior consent to any agreement that LRT proposes to sign under proposed section 3(2A). In giving that consent, the Secretary of State has powers under existing legislation to impose conditions that could, in theory, extend to cover the details of any financial issues. Therefore, it is difficult to see what additional protection the amendment could provide.

In practice, I think that the small print in the contractor's financial arrangements is best left to the experts to determine. Without casting any doubt on the immense abilities of my right hon. Friend the Secretary of State, I do not think that he needs to be involved in details of that sort. I hope that the hon. Gentleman is not suggesting—to put it simply—that the House is capable of managing the affairs of LRT. The House is obviously not in a position to do so, and it should not attempt it.

As to amendment No. 4, I appreciate the hon. Gentleman's eagerness to be kept fully informed of all developments regarding LRT, particularly its PFI projects. However, he should consider the additional time and cost involved if the amendment were accepted by the Government. LRT is presently able to enter into major, high-value contracts—whether for conventional projects, such as the Central line trains deal or train refurbishment contracts, or PFI projects, such as the Northern line trains deal—without notifying Parliament. In some cases, LRT may have sought the agreement of the Secretary of State before authorising the project, but there was never any requirement to notify Parliament. I believe that the existing arrangements for advertising major projects—whether PFI or conventional schemes—are perfectly adequate.

6.15 pm

LRT advertises its major commercial opportunities publicly in the *Official Journal of the European Communities*. It usually announces publicly the award of major projects, giving an idea of their value and duration when that information is not commercially sensitive. That is the correct way to advertise: to attract potential bidders at the outset and to inform passengers at the conclusion. Hon. Members are also in a position to ask questions if they require further information about a particular project. I see no value in imposing an obligation on the Secretary of State to notify Parliament in all cases when he has given his consent under section 3, and to do so before the agreement has been concluded.

In light of the reassurances that I have given about the publication of information about PFI contracts, I hope that the hon. Member for Newham, South will feel able to withdraw his motion.

Mr. Spearing: With the consent of the House, I shall refer in passing to the questions regarding crossrail, on which perhaps the Minister could comment later. He referred to contracts, but I have heard nothing so far that would prevent London Regional Transport from entering into a big contract with, shall we say, crossrail plc to construct the central part of the line from Paddington to Stratford—the Minister is correct in saying that I would welcome such a project—under the Bill. Perhaps we can deal with that issue on Third Reading.

Mr. Norris: I remind the hon. Gentleman of our original discussion concerning the purpose of the "mouse of a Bill", to quote the hon. Member for Cunninghame, North (Mr. Wilson).

Mr. Wilson: Do not be harsh.

Mr. Norris: The hon. Gentleman must know that I am his good friend in the House. That is the ultimate kiss of

political death and, having delivered it, I return to the point that I am making to the hon. Member for Newham, South.

Nothing in the Bill alters the fundamental obligation placed on London Regional Transport by the London Regional Transport Act 1984 to—I shall paraphrase the legal language—provide or ensure the procurement of public passenger transport services in London.

The hon. Gentleman referred to an agreement that London Regional Transport may enter into with crossrail—he mentioned a body such as Crossrail plc and, for the purposes of the argument, we shall forget about Railtrack and assume that such an entity will emerge with a plan to deliver the scheme. That plan could be delivered under the provisions of the 1984 Act.

The disclosure provisions—including the disclosure of commercially sensitive information—would be precisely those that apply at present. The Bill extends into those areas where LRT previously had no power—where services provided by contractors are ancillary to the main services provided by LRT, but which will involve LRT as a partner in the agreement. That is the key to the hon. Gentleman's point and I hope that on that basis he will see that his crossrail line of questioning is, to some degree, misdirected.

Mr. Spearing: I am grateful to the Minister for that most interesting and lengthy intervention. I am reminded of the famous phrase about the lady protesting too much.

I have used crossrail as a test case of the visibility and reportage of agreements, but I see from the Bill that agreements can be made containing provision for

"the carrying on by the contractor of such activities as are mentioned in subsection (2) above".

Subsection (2) is, of course, in the existing London Regional Transport Act 1984.

We have to leave the argument here, but I cannot see why a project for a crossrail plc could not be reported to the House and why the consent of the Secretary of State is not possible. I shall pass over the merits of crossrail, but given the possibility of its construction by a contractor, I still think that the Bill might be rather more than a mouse. The Minister has not yet convinced me that it is not a mouse of a Bill.

On the question of reports to the House under new clause 1, the Minister claims that we cannot require them because of commercial confidentiality. We now know that if contractors, in the health service or anywhere else, have to bid for projects, public accountability is prevented by the chasm of commercial confidence. I understand the Minister's reasons, but they make accountability all the more important.

On amendment No. 3, the Minister claimed that the Secretary of State would not have to give consent to the second layer of agreements because LRT and the contractor would deal with them. We do not know how big those contracts will be and I find the Minister's explanation unconvincing.

On amendment No. 4, the Minister claimed that the notifications do not need to be laid before the House. They do not include confidential or financial information, since amendment No. 4 states:

"the Secretary of State shall lay before each House of Parliament notification of his consent together with a general description of the purpose and scope of any such agreement, not less than one calendar month before the agreement is to come into effect."

What is the Secretary of State afraid of? The Minister said that we need not worry because the notification will be laid in the *Official Journal of the European Communities*. Why cannot it be laid before the House? I find the Minister's explanations unsatisfactory.

I hope that our discussion about the visibility of such matters will provoke debate elsewhere and I hope that it has been useful, if only on the subject of crossrail, and for the public who own the railways at the moment. I therefore beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Clause 1

EXTENSION OF GENERAL POWERS

Mr. Spearing: I beg to move amendment No. 1, in page 1, leave out lines 13 and 14.

Mr. Deputy Speaker: With this, it will be convenient to discuss amendment No. 2, in page 1, line 19, leave out 'transferred' and insert 'leased'.

Mr. Spearing: Amendment No. 1 follows conveniently on the discussion we have just had. I do not understand the need to include in the Bill the paragraph that provides that, provided a contractor is involved in such activities as are mentioned in section 3(2) of the London Regional Transport Act 1984, he can make use of the PFI and the secondary layer of agreements that we have discussed. Why is that provision in the Bill? If it was excluded—as amendment No. 1 would provide—what effect would that have? I suggest that it would cut out a privatised or contractualised crossrail.

The Minister and I have much in common in applauding the addition of the new sections of the Jubilee line to London's transport. We have seen parts of the work and I visited a station in my constituency only last week. I suspect—I hope that the Minister will reply if he can—that under the proposed section 3(2A)(a) of the 1984 Act it would be possible for London Regional Transport to contract out the Jubilee line. That decision could be made, perfectly legally, by 50, or perhaps 55, people at 55 Broadway.

What a line that would be, because it has been built at considerable public expense. That is halfway to happening on the Northern line already. I think that the Bill would make that possible. Amendment No. 1 is a probing amendment, since it would remove proposed section 3(2A)(a), because I believe the Bill would allow such contracts to be made. Moreover, when such contracts had been made and following the transfer to the contractor by LRT of land or other property, the proposed section 3(2A)(c) would allow

"the use by the contractor of land or other property".

Again, the Minister and I differ in our view of the operation of privatisation. If a contractor takes on an underground line—the Deputy Prime Minister was not far from suggesting that, according to the press reports—the contractor may have to take on a liability, because the line may not pay its way. We know that there is a degree of public subsidy of London transport. So the Government would have to provide some form of incentive. We know that the incentive for the fast rail track to the channel tunnel is a considerable transfer of land. In other words,

[Mr. Spearing]

use of the PFI in capital projects for London's underground railways, which is clearly in the Government's mind, cannot occur without some sort of incentive. That would involve a procedure under which assets would also be handed over. That is what the Bill will do. The inclusion of the proposed section 3(2A)(a) will mean that the existing railways, or indeed crossrail, could be run by contractors, under the existing powers of LRT.

Amendment No. 2 would change a transfer of property to a lease. Again, it is a probing amendment to ask why land would be transferred to a contractor—presumably as freehold for development. Why could such land not be leased and kept as the property of LRT and the people of London? I await the Minister's reply with interest.

Mr. Chidgey: I am puzzled by the intention of amendment No. 1, because it would appear to preclude LRT from undertaking the subcontracting activities that the Bill sets out to permit. If so, we should be debating whether or not the Bill should progress. I take the point of the hon. Member for Newham, South (Mr. Spearing) about the difference in terminology between transferral and leasing. I would feel concern if property assets could be permanently transferred to a contractor, and particularly about the acquisition of profits through the disposal of property assets. I would insist that any profits accruing from surplus land and assets through development should be reinvested in London Regional Transport, rather than go to a third party.

6.30 pm

Mr. Norris: I am glad that the hon. Member for Eastleigh (Mr. Chidgey) is confused by amendment No. 1, because so am I, and I was glad to hear that it was a probing amendment—which I treat as one that we are not expected to take overly seriously as to its effect.

If I have a vestigial grasp of the point that the hon. Member for Newham, South (Mr. Spearing) was attempting to make, amendment No. 1 is undesirable because it would make parts of an agreement under new section 3(2A) subject to the Secretary of State's consent while those made under existing section 3(2) could be made without his consent.

It is almost certain that in practice the contractor would seek the Secretary of State's consent if there were any doubt about the contractor's vires in the matter. Amendment No. 1 would achieve nothing, but it would create confusion which is wholly avoidable by not accepting the amendment. The hon. Member for Eastleigh was entirely right to make that point.

Amendment No. 2 is much more serious. I share the concern of the hon. Member for Newham, South that assets transferred to a PFI contractor should revert to LRT at the end of the contract, as the hon. Member for Eastleigh said. The purpose of clause 2(1) and (3) is precisely to ensure that LRT's claim on essential assets at the end of a PFI contract can be safeguarded and continuity of service protected. On Second Reading, I emphasised that those provisions exist precisely because LRT needs to safeguard continuity of service and to keep property at the end of such contracts.

The proposal to confine LRT to a lease is extraordinarily naive. It would be perfectly possible for LRT, if it were so minded, to sell instead of a freehold a long leasehold for a peppercorn for the equivalent capital sum. We should not follow the suggested path in respect of leases. Nor should we be diverted from the fact that the essential protection that the hon. Gentleman seeks is already in the Bill.

Where assets are surplus to LRT's needs, it already has a power to dispose of them. If the assets were in the control of the PFI contractor, it might be perfectly sensible to allow the contractor to remain in possession for an appropriate consideration.

Amendment No. 1 would not achieve the hon. Gentleman's purpose and would cause confusion. I therefore hope that he will seek leave to withdraw it. As for amendment No. 2, I confirm that the hon. Gentleman's concerns are already covered by the Bill.

Mr. Spearing: I disagree with the Minister in respect of leasing, but I will concentrate on amendment No. 1, which has been derided as unnecessary and curious. The Bill's purpose is to allow a PFI to be used not just for additions to LRT's existing role as a peripheral or ancillary but to permit a contractor to move into core activity—perhaps including running an entire railway. The Minister's refusal—he can call me confused if he likes—reinforces my suspicion that the Bill could be used for that purpose.

Mr. Norris: If the hon. Gentleman invites me to call him confused, I will do so. He is confused. LRT already has the power, under the 1984 Act, to deal with circumstances of the kind that the hon. Gentleman described. Central to the speeches of the hon. Members for Cunninghame, North (Mr. Wilson) and for Newham, South and of other Opposition Members on Second Reading was that the Bill was not to be seen as a back-door facility for privatisation.

I told the hon. Member for Newham, South that the uncomfortable truth was that to the extent that such powers might be necessary, they are contained in the 1984 Act. I do not seem to be able to get it through to the hon. Gentleman, which is probably more my fault, that his arguments are not relevant to the Bill. The scenario that he described might have been debated in 1983 in preparation for the 1984 Act, but it is not relevant now.

Mr. Spearing: The problem with the Government is that time after time legislation is produced which appears to be sensible, in pursuit of and of assistance to public service but ultimately—particularly when legislation is extremely confined and dense in its wording—other things happen. In Committee, the Minister referred to

> "the rather misleading story told by the hon. Member for Newham, South, whose encyclopaedic knowledge of the system may not quite have caught up with the existing make-or-buy policy operated by London Transport specifically within London Underground. Under that policy, we decide in relation to each measured area of activity whether it is better in terms of value for the user and the taxpayer for the facility to be procured from outside or provided in-house."—[*Official Report, Standing Committee F*, 27 March 1996; c. 21.]

The Minister said that LRT's existing powers could be used for a crossrail plc, but we know that there would not be such a thing—or improvements to any other line—unless facilities exist under the PFI. We know what

happened when contractorisation occurred in relation to signalling and track: there were escalating signal delays and point failures. I believe that the Bill would make it possible for PFI to enter core activity, which is not possible under the existing legislation. That could occur under the 1984 Act if crossrail were a public project, but the Bill concerns the PFI and the incursion of private capital—including, as we have seen in other parts of the country, Wisconsin Central or a water company—and the private operation of part of London Transport.

The amendment was not intended as a serious amendment to the Bill; it was designed to find out the Minister's intentions. I hear what he says—that he does not intend to use the Bill in the way I have explored. The Bill may not be a huge animal—my hon. Friend the Member for Cunninghame, North (Mr. Wilson) may be right to call it a mouse—but the people of London are so used to bad legislation on health, traffic or anything else that we have learnt to scrutinise Bills rather carefully. The language of this Bill is obscure and legalistic, so we must beware.

All I can hope is that the debate will at least have laid to rest some of the suspicions entertained by the Minister's supporters, if not those of Opposition Members.

I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 3

SUPPLEMENTARY TRANSFERS OF FUNCTIONS

Mr. Spearing: I beg to move amendment No. 5, in page 2, line 40, at end insert—

'(2A) In subsection (2)(b) above, "supplementary, incidental and consequential provision" does not include any financial provision which has not previously been approved by the House of Commons.'.

Madam Speaker: With this, it will be convenient to discuss amendment No. 7, in page 3, line 2, leave out

'subject to annulment in pursuance of a resolution of either'

and insert

'laid before Parliament in draft and shall be subject to approval by resolution of each'.

Mr. Spearing: Amendment No. 5 relates to the curious power exercised in respect of the second set of contracts, under which secondary functions can be taken on by a contractor. In such cases the Minister is empowered to pay for anything that goes wrong. The exact words are:

"make such supplementary, incidental and consequential provision as the Secretary of State considers necessary or expedient."

We shall deal later with amendments seeking clarification of the wording; at this point I just want to know how much the Minister envisages being paid.

My amendment declares it desirable not to

"include any financial provision which has not previously been approved by the House of Commons."

Without that, we might find ourselves in some difficulty.

Amendment No. 7 relates to the powers of Parliament. Proposed section 31B(5) states:

"A statutory instrument containing an order under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament."

Of course, it is possible to pray against such instruments, when the arrangements of the House permit that, but I suggest that it would be more reassuring to allow for the affirmative procedure in this case. If an instrument is nodded through, well and good. But if a transport matter needs debate—nowadays, that is done in Committee—my amendment would provide a secondary safeguard in respect of this labyrinthine Bill. Transport matters do not always get the scrutiny they deserve.

Mr. Norris: The first amendment would place an unreasonable burden on the Secretary of State. We are dealing here with supplementary, incidental or consequential provisions. That being so, I do not believe it right for the Secretary of State to be placed under a duty of the sort that the amendment suggests.

As for amendment No. 7, there is plenty of precedent for the negative resolution procedure—it would be entirely usual. Indeed, it is not unknown for there to be no parliamentary involvement at all in this sphere.

Section 27(4) of the 1984 Act provides—except in the case of powers taken under that Act or any statutory provision amended by it—for statutory powers to be transferred by means of a transfer scheme, prior to the sale of a business belonging to LRT, without any parliamentary scrutiny. We have not followed that precedent. There is scope for parliamentary scrutiny of orders under new section 31B, but I frankly do not think that the affirmative resolution procedure is justifiable. I therefore hope that the hon. Gentleman will seek leave to withdraw the amendment.

6.45 pm

Mr. Spearing: I am grateful for that explanation—it is always useful to get the Minister's reasons on the record. That is what my proposed amendment has achieved. I cannot say that I agree with the Minister's reply. Indeed, I am sorry that he did not agree to the affirmative procedure, which I regard as superior. However, I will leave it at that.

The Minister did not deal with the point about expenditure incurred by a contractor for an emergency or a deficit. If a second contractor finds himself unable to continue with, say, railway track, signalling, communications or ventilation service—I showed in Committee that such services may be contracted out—I would like to be certain that the liability incurred is not unlimited but will be paid for out of a contingency fund voted to the Secretary of State for Transport by this House in a Finance Bill and relevant appropriation Bill. In that way it would be visible to Parliament, and would thus constitute a necessary safeguard.

I will readily give way to the Minister if he wants to deal with this issue. Meanwhile, he talked about a burden on the Secretary of State. I do not see how prior approval by the House amounts to a burden. The Public Accounts Committee, and this House in pursuit of the stewardship of taxpayers' money, would be wise to require such approval. I repeat my offer to give way to the Minister so that he can explain why the provision is unwise. I believe that it would protect tax money and the travelling public in London.

I note that the Minister remains seated. I can only hope that his silence will be noted elsewhere.

I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Spearing: I beg to move amendment No. 6, in page 2, leave out lines 41 to 43.

If the issues raised by my amendments had been unimportant they would not have been selected by the Chair. We come finally to what may be a lacuna in the Bill. I mentioned it in Committee, but received no satisfactory answer. I shall read out the relevant words of the Bill to get the matter straight.

Proposed section 31B(3) reads:

"This section does not apply to any function of London Regional Transport under this Act or any other statutory provision specifically amended by any provision of this Act."

That appears not to apply, then, to the core activity. But line 29 says:

"the Secretary of State may by order provide for any functions of London Regional Transport under any statutory provisions to be exercisable by that person (whether to the exclusion of or concurrently with London Regional Transport)."

If the clause is to achieve its purpose—which, because of the Minister's silence, I am not too sure about—there will be difficulty, in court at least, because those phrases are mutually incompatible, although I may have got that wrong or misread the clause. There may be a perfectly simple explanation for the confusion.

If we are to get our legislation right and ensure that it is not only clear but seen to be clear, we must ensure that it can be understood by people who read it. If hon. Members cannot understand it, how can we expect the public to be able to do so? I hope that the Minister will tell us that, even though a lawyer may be able to understand it, that anomaly will be dealt with at a later stage in the Bill's passage.

Mr. Norris: There are times when even those as prolix as myself recognise that there is a value in silence. On this amendment, I merely point out that it is a pièce de résistance, even by the standards of the hon. Member for Newham, South (Mr. Spearing), as it has the totally perverse effect of allowing the transfer to a contractor of LT's principal functions under the London Regional Transport Act 1984. Thus, for example, the amendment would allow LT to transfer its duty to

"provide or secure the provision of public passenger transport services."

The amendment would allow LT to facilitate someone else setting fares and service levels.

It may be that we are witnessing a Pauline conversion of unprecedented proportions—

Mr. Wilson: It is new Labour.

Mr. Norris: The hon. Gentleman suggests that this may be a manifestation of new Labour. If new Labour has suffused even the depths of the people's republic of Newham, there will be much rejoicing in Epping Forest and elsewhere, where those glad tidings will be greeted with unalloyed joy. However, I fear that the hon. Member for Newham, South is misguided if that was his intention.

The serious point is that, as we have said, we are at pains to ensure that none of the obligations laid on LRT by the 1984 Act can be transferred by LT. It is no part of that Act to give LT the power to divest itself of the responsibilities that it holds under the 1984 Act. This modest Bill, as hon. Members on both sides of the House have frequently described it, will allow LT to take advantage of contracts arranged under the private finance initiative, the purpose of which are to secure better value for the travelling public in London.

I almost hope that the hon. Member for Newham, South will press the amendment because those on the Opposition Front Bench might then be in the unenviable position of having to vote against him. In all fairness to him, it might be kinder to ask him whether he might think of seeking leave to withdraw his amendment.

Mr. Spearing: I assure the Minister that the idea of withdrawing amendments has been constantly before my mind as I have moved amendments which are, as I am sure the House will agree, justifiable probing amendments. I hope that the Bill will not cause the trouble that I fear that it may cause.

The Minister is absolutely right: my amendment to leave out section 34(3)(c) is not a serious amendment to the Bill. I wanted him to explain—which he did not do—the apparent anomaly in the wording of the Bill. I understand that he wants that wording for the purposes that he mentioned, but I suggest that it is confusing because it appears that the one clause says opposite things.

I hope that—surreptitiously, in another place—that confusion will be rectified. On that understanding, Madam Speaker, I will again take the Minister's advice—perhaps for the last time in this debate. For the reasons that I have outlined, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Bill reported, without amendment; read the Third time, and passed.

Pensions

[Relevant document: The memorandum relating to these Orders contained in the Fourteenth Report from the Joint Committee on Statutory Instruments (House of Commons Paper No. 34-xiv of Session 1995-96).]

6.54 pm

The Parliamentary Under-Secretary of State for Social Security (Mr. Oliver Heald): I beg to move,

That the draft Social Security (Minimum Contributions to Appropriate Personal Pension Schemes) Order 1996, which was laid before this House on 13th March, be approved.

Madam Speaker: I understand that with this, it will be convenient to discuss the following motions:

That the draft Social Security (Reduced Rates of Class 1 Contributions) (Salary Related Contracted-out Schemes) Order 1996, which was laid before this House on 13th March, be approved.

That the draft Social Security (Reduced Rates of Class 1 Contributions and Rebates) (Money Purchase Contracted-out Schemes) Order 1996, which was laid before this House on 13th March, be approved.

Mr. Heald: The independent Government Actuary issued a consultation document in August and has taken account of responses in preparing his report to the Secretary of State. My right hon. Friend the Secretary of State has taken account of his advice in preparing his own proposals, which are before us today. They were laid before the House together with the three orders and the Government Actuary's report on 13 March.

On the current system and future proposals, we recognise that people need to be able to invest with confidence in their pensions. The Pensions Act 1995, which received Royal Assent last year, is intended to ensure that their investment will be safe. At the same time, we took the opportunity to make the system of contracting out more attractive. We responded to charges of complexity by breaking the current links between state and private second-tier provision, and we widened the appeal of contracting out by introducing a system of age-related rebates for contracted-out money purchase schemes and appropriate personal pensions rather than the current flat-rate rebate for those contracting out on a money purchase basis.

On the contracted-out salary related schemes rebate, the flat-rate rebate currently paid in salary-related schemes is 4.8 per cent. Of that figure, 1.8 per cent. goes to employees and 3 per cent. to the employer. The changes we propose to the contracting-out system mean that the basis of the rebate calculation has to be changed.

Had we continued the old system, the rebate would have been 4.4 per cent., which would reflect the decline in the accrual rates of guaranteed-minimum pensions. In future, it will be based on the cost of providing benefits of an actuarial value equivalent to the state earnings-related pension scheme given up rather than, as at present, the cost of providing the GMPs. In other words, the rebate is now higher than it would have been under the previous system, to reflect the greater liabilities now undertaken by salary-related schemes that contract out—for example, inflation proofing.

The independent Government Actuary took account of those changes, developments in SERPS provision and up-to-date actuarial assumptions. He reached the conclusion that the rebate should be set at 4.6 per cent. from April 1997. My right hon. Friend the Secretary of State considered his advice and decided to set the rebate at that level. We propose that 1.6 per cent. should go to the employee and that, as now, 3 per cent. will go to the employer.

We remain committed to the widest possible choice of pension provision. Currently, some 10 million people are members of salary-related schemes, which form a key element of pension provision in the UK. We believe that our proposals will ensure a sound basis for their continuing operation and development.

I shall deal now with age-related rebates for those who contract out into appropriate personal pensions and contracted-out money purchase schemes. People who contract out of SERPS in those two ways receive the same flat-rate rebate as those in salary-related schemes, except that people over the age of 30 with a personal pension receive an additional 1 per cent. That extra amount recognises the need for the rebate to be higher for older people with personal pensions. The nearer a person gets to retirement, the higher the initial investment has to be to match the state pension forgone.

Age-related rebates are the logical next step, and one which we pledged to introduce some time ago. Two of the orders laid today set out the respective age-related rebates for both COMPS and for personal pensions for each of the next five years, starting in April 1997. For COMPS, in the first year the rebates will range from 3.1 per cent. of relevant earnings for the youngest members to a maximum of 9 per cent. These rebates will be available partly as a flat rate 3.1 per cent. deduction from national insurance contributions. This deduction will be split, with 1.6 per cent. for employees and 1.5 per cent. going to the employer. Any additional age-related payment up to a total ceiling of 9 per cent. will be paid directly to their scheme by the Department of Social Security at the end of the tax year.

The age-related rebates for personal pensions will also be paid directly to the member's scheme at the end of each tax year. The rates will vary in the first instance from 3.4 per cent. for the youngest members to a maximum of 9 per cent.

We have capped the age-related rebates at 9 per cent. rather than allow rebates at much higher levels for older scheme members during the early years of the scheme, but we have ensured that the great majority of those with appropriate personal pensions should be best advised to remain with them, now and in the future. By imposing a 9 per cent. cap, we have been mindful of restraining the cost to the taxpayer of all this, too.

In deciding on the level of expenses and charges of pension providers to be used in calculating these age-related rebates, we have also sought value for money. Necessary and reasonable charges and expenses of providers and the correct amount to be invested on behalf of the member are both crucial in calculating the levels of appropriate rebates for money purchase pensions. In deciding that, we have taken the Government Actuary's advice on what were the charges of the more efficient providers. That again reflects our aim to be fair to pension holders, pension providers and the taxpayer.

We are confident that the measures will maintain the attractiveness of contracting out and promote more choice in the private pension provision available. The cost to the

[Mr. Heald]

taxpayer in the first year of the new rebate will be £7.7 billion of revenue forgone. By 2020, we expect annual savings to the national insurance fund from those contracted out of SERPS to outweigh the annual revenue then forgone on the rebate, and by 2030 we anticipate savings nearly double the costs. By 2050, savings should be some three times greater than costs. That represents a major burden lifted from future generations.

The Government have taken steps towards defusing the demographic time-bomb in the UK. A recent study by the Organisation for Economic Co-operation and Development shows that Canada is the only other country to have taken the necessary steps to do so. In fact, the OECD suggests that the UK may be able to repay its national debt and start to accumulate assets by 2030, leaving us better placed than almost any other country to meet the challenges of global competition in the 21st century.

Mr. Frank Field (Birkenhead): For the first time, the Minister has given us the cost of age-related rebates. The Government Actuary's report was detailed, but the one piece of information for which taxpayers might have been looking was missing, but he has given it to us this afternoon. So that I and other hon. Members understand correctly, is the Minister saying that the costs of age-related rebates will rise from £7.7 billion in the first year that we are considering to £8.1 billion at the end of the five-year period? Are we therefore talking about the equivalent of a 5p increase in the standard rate of income tax? Will the Minister tell us again what he thought the savings would be from people who remain contracted out of SERPS and who are therefore not liable to gain SERPS pensions as a result of these orders?

Mr. Heald: If the hon. Gentleman will allow me, I shall deal with that point in my winding-up speech. That would be more convenient, and I shall have the exact figures checked to see whether we are talking about 5p on income tax.

We are giving maximum scope for individuals to provide for their future, based firmly on a partnership between the state and the private sector but maximising the choices available. The orders underpin the almost uniquely strong position of the UK in meeting the challenges of the coming century. I commend them to the House.

7.3 pm

Mr. John Denham (Southampton, Itchen): I make it clear at the outset that the Opposition will not oppose the orders. We have many criticisms of the pensions strategy that has led to them and, so far as it relevant to do so, I shall outline a number of them. We have many concerns about the implications of these orders for future pensions policy. Again, I shall explain what they are and ask the Minister some questions about the Government's intentions and expectations.

The principle of age-related rebates is a logical development from the current situation, although the practice may leave much to be desired. The background to the orders is, of course, the introduction in 1987 and 1988 of two new measures—the establishment of contracted-out money purchase schemes, which may be described as COMPS, and the introduction of the right to opt out of SERPS into personal pensions or, as they are somewhat optimistically called, appropriate personal pensions. If I refer generally to personal pensions in this debate, I shall be referring to appropriate personal pensions.

What is in dispute in the debate is not the importance and value of funded pensions but the way in which the Government have gone about promoting wider membership of funded schemes. The promotion of personal pensions has formed a key part of the Government's pensions strategy. The Government miss no opportunity to promote the sales of personal pensions as a triumph, but the detail of the orders reveals that they are considerably less than that.

The promotion of personal pensions was part of a conscious and determined attempt to reduce the future pensions of millions of working people. If we forget about funding methods for a moment, what the Government have done to pensions—pay-as-you-go pensions, personal pensions and, indeed, the underpinning of occupational pensions—leads to a reduction in future pensions.

When SERPS was dramatically reduced in value in the 1980s, the pension was cut from 25 per cent. to 20 per cent. of earnings. It became based on career earnings instead of the best 20 years. Widows' inheritance of their husbands' earnings-related pension was halved, and earnings-related invalidity benefits for those retiring on health grounds were abolished.

What was perhaps less clear at the time was that the new, reduced SERPS was to become the benchmark for the new appropriate personal pensions and for contracted-out money purchase schemes. In other words, whether one plumped for a funded or pay-as-you-go pension, the pension that one could expect for a given level of contribution was slashed.

In the beginning, the incentives to opt out, introduced at a cost to the public of £4 billion, may have disguised the link between low SERPS expectations and low expectations of personal pensions and COMPS. The high incentives may have gone some way in the short term to reducing the harm done to people on low incomes who, ill advisedly, opted out of SERPS. However, as the incentives have been cut and, above all, with the introduction of earnings-related rebates, it is crystal clear from the orders that a personal pension receiving only the national insurance rebate is not intended to perform better than the crippled level of benefits provided by SERPS.

The retirement income inquiry pointed out in its valuable appendix that a man on £10,000 a year would receive a SERPS pension worth only 10 per cent. of average male earnings. The Government intend that the same should apply to rebate-only APPs.

There can be a great deal of wild talk about how funded personal pensions could do better because of better investment returns. Indeed, Lord Mackay of Ardbrecknish said in another place yesterday:

"Quite often the effect of charges on a pension fund is more than outweighed by the investment performance."—[*Official Report, House of Lords*, 2 April 1996; Vol. 571, c. 209.]

With all due respect to Lord Mackay, in the context of this debate, that statement is nonsense. It is counter to everything that the Government are trying to do in the orders.

We can assume that the Government Actuary is an independent, professional and honourable man. He is under a clear legislative requirement to recommend

rebates that would provide an actuarial value equivalent to that of the SERPS benefits forgone. His job, and what he has done in advising the Government, is to take into account the best possible estimates of the long-run rate of return on investments. I assume that the Government accept his advice on this point.

I hope that the Minister will confirm not only that there is no question of personal pensions in general beating the markets but that, if it happened over a period, the Government Actuary's future advice would have to be to reduce the level of rebates under the terms of the current legislation.

The first point to establish is that these rebates are not intended to produce better benefits overall than SERPS at its current reduced rate. Schemes can only hope on average to do so if individuals and/or employers make additional contributions.

The second issue that needs to be considered is everything that has gone wrong since appropriate personal pensions were launched. The Government worked hard to create the impression that anyone would be foolish not to have a personal pension. What was the result? The policies of more than a million people are now being reviewed because they were encouraged to opt out, rather than joining or transferring from employers' pension schemes.

The cost of the review itself has been estimated at a one-off £100 million, plus on-going costs of £50 million. The cost of compensation has been estimated at between £2 billion and £4 billion. The review is way behind time; many people have not yet responded to their pension holders. Above all, an enormous amount of money that could have been invested in providing pensions for the future is being consumed by this Government and by regulatory disaster.

A total of 3.6 million people with incomes below £10,000 a year have opted out of SERPS. The average income of a woman with an appropriate personal pension is just £6,300 a year. Nearly half those who bought personal pensions in 1987-88 have failed to make regular contributions or pay in regular rebates each year since then. Low incomes, a lack of persistence and a failure to return to SERPS at an appropriate age all constitute warnings that, in the long run, people may not be best served by personal pensions.

In recent weeks, what strikes me as a rather clever media campaign has taken place to prepare the way for a conclusion to the current Securities and Investments Board study. The message of that campaign is that there is not much wrong with the sale of pensions to people on low incomes, and that there is no need for special efforts to remedy the problem. Let me make it clear that I do not want anyone's pension to suffer: I feel no pleasure when that happens. Nevertheless, if it turns out that a combination of the initial high incentives and the above-average rate of return on equities in recent years has limited the actual damage to date, that does not mean that it will necessarily be prudent for low earners with broken work patterns to remain in appropriate personal pensions. To suggest that would be to promote a con and a deception.

I look to the Minister to give an absolute assurance that there is no question of the Government's brushing the issue under the carpet and claiming that there is nothing to worry about. I also ask him to make every effort to ensure that people are given the best possible advice—to which they are entitled under the Financial Services Act 1986—and that the regulators' guidance is followed to the letter.

The main public concerns to date about the promotion of personal pensions have involved poor advice and mis-selling, but the orders, and the Government Actuary's advice, should bring home to everyone why the Government's personal pension strategy is unravelling before our eyes.

The Government have set out their conclusions about the typical costs of personal pensions; they make sober reading. Let us examine the impact of charges from a typical provider, as identified by the Government Actuary. There are initial expenses of 8 per cent. on the initial rebate, renewal expenses of £30 per annum, a 0.9 per cent. reduction in the annual return and an annuity loading of 2 per cent. on the annuity purchase price.

Let us consider the example of a person on £10,000 a year who makes a single year's contribution to a personal pension. That may sound extreme, but the Government's own personal pension statistics show that 73,000 of the people who bought personal pensions in 1987-88 had paid in only one year's rebate by the latest available date. Let us assume that that person makes a contribution 20 or 30 years before retirement. By the time that he or she retires, every penny that has been paid will have disappeared in fees and charges, and there will be nothing in the pension to show for the year at work. I do not think that people can afford that.

At the other extreme, let us assume that that same person on £10,000 a year buys a personal pension 30 years before retirement and keeps it, never missing a rebate payment until state pension age. This, too, is likely to be an extreme case: only half the people who bought personal pensions in the first year had managed to pay in rebates in each of the six years to 1992-93. More than a quarter of the savings in that case will disappear in fees and charges by the time that the person retires.

That is the position for someone on £10,000 a year; what about someone on £7,000—more than the average income of women with personal pensions? Such a person, paying a single premium, will lose every penny. The person who keeps the policy for 30 years will lose about a third of his or her savings: about £1 in £3 of the money that has been paid in will not be available to provide a pension when that person retires.

What about those on £4,000 a year? Even if they keep their policies for 30 years, they will lose well over half their savings, and that money will not be available to pay for a pension. That too may seem an extreme case, especially as some reputable companies would not sell a rebate-only personal pension to someone on twice that income; but, in 1993-94, more than 250,000 men and 270,000 women had earnings below £4,000. If their incomes do not rise, more than half a million people are set to lose more than 50 per cent. of their pension savings. In fact, the situation—even for those who attempt to keep their policies until retirement—will often be much worse. As I have said, half those who bought personal pensions at the outset have failed to make regular rebate payments. For many of those people, annual charges will continue to eat deeply into their savings.

At best, the orders reveal that a quarter of savings will be lost in the case of a typical pension provider; at worst, more will be lost—up to and including every penny. I believe that

[Mr. John Denham]

we should be grateful for the Government Actuary's study. A decent Government would have published such figures themselves, as would an effective regulator. That has not happened, and we all know why. The Government have been pouring savers' money down the drain as if there were no tomorrow, and they do not want anyone to find out.

However, the Actuary and the Government have based the orders on the impact of charges from what is described as a more efficient provider. Even here, a single premium would lose 27 per cent. of its value over 30 years, while a policy receiving rebates continuously for 30 years would lose £1 in £5 of the money saved. Given the cost of typical providers, even the more efficient ones, neither individuals nor society can afford to waste savings at such a rate. Every pound that is eaten up could provide a pension in the future. What an irony: the Government said that they wanted to save taxpayers' money in the future, and they have ended up wasting savers' money today.

It should be noted that not everyone is convinced that the Government Actuary's estimates of the cost are correct. As his report makes clear, Ministers have announced that they do not intend age-related rebates to incorporate an allowance for flat-rate charges. His figures reflect Government policy; they do not necessarily reflect what is happening in the real world.

Responding to the Actuary's consultative paper on 25 November 1995, the joint working group comprising the Association of British Insurers, the National Association of Pension Funds, the Association of Consultant Actuaries, the Society of Pension Consultants and the Association of Pension Lawyers—a group whose views should not be taken lightly—expressed surprise at the outcome of the review of charges levied by personal pension providers.

Referring specifically to the section of the Actuary's report that dealt with the most efficient providers, the group expressed the view that providers with low initial charges would have higher annual charges, and that there would be fixed policy fees. Insufficient weight had been given to marketing costs. The consensus was that the charge on competitively priced APP contracts was likely to be around 8 per cent. of each rebate, plus 1 per cent. per annum of the accumulated fund, plus a policy fee—generally linked with the retail prices index or national average earnings, at between £1 and £3 a month—and twice the cost of purchasing the annuity shown in the orders.

The group pointed out that younger people, people with rebate-only contracts, people on lower incomes and people who are contracted out for short periods, or who switch to new policies from time to time—for example, job movers who rely on group personal pensions—could lose badly unless adequate provision is made. A powerful voice from the industry has said very clearly that the costs for even the most efficient providers have been set at too low a level, and that many people's pensions will be damaged.

The Government have made a policy decision. They have decided to base age-related rebates on what they call the reasonable costs and charges of the more efficient personal pension providers. By definition, however, most personal pension providers are not more efficient—their costs are higher.

The contrast between the typical and the more efficient provider has placed Ministers on the horns of a dilemma. What were the Government to do? Should they listen to the industry, which pleaded with them to recognise its real costs, no doubt amid dark hints about telling everyone that they should opt back into the state earnings-related pension scheme? That would have been viewed, however, as padding out the costs of less efficient companies selling high-cost pensions.

On the other hand, the Government could do what they have done: base the rebates on more efficient providers, but what is to happen to all the people who do not have a pension from a more efficient provider? They will suffer. Their rebates will be too low to cover the real costs of their pensions. Their pensions will suffer as a result of the Government's decision.

Of course, to pad out the costs of less efficient providers with taxpayers' money would have caused outrage. To allow the pensions of millions of people to be cut by high charges is a disgrace. It must have been a difficult choice to make. Faced with the choice between outrage and disgrace, the Government chose disgrace. No doubt their decision was coloured by the consideration that higher rebates would mean higher tax or national insurance and less scope for pre-election tax cuts. We can imagine the Chancellor of the Exchequer and the Secretary of State for Social Security saying, "Most people don't understand all this, anyway. They'll never realise what we are doing to them."

I would have some sympathy with the Ministers who had to take the decision if it were not for two things. First, I sympathise more with people whose savings are being wasted; and, secondly, the whole mess is of the Government's making. They have been driven by a desperate desire to cut spending on SERPS, and have not put a cost-effective and efficient alternative in place.

My criticisms are directed at the Government, not at pension providers. There have been individual problems with some people and some companies, but the Government cannot escape the fact that the current shape of the industry, with all its attendant costs, is the Government's creation. It has grown in response to the Government's contracting-out legislation and regulatory framework. The fact that so much of savers' money is being eaten up and will not be available to generate pensions is the Government's fault and no one else's.

I should like to turn to some of the other important issues that are raised by the rebates. What does the Minister anticipate will happen to the balance between APPs and SERPS? Does he expect more people to opt out or to opt back in? Does he expect older employees to keep their policies to retirement, or people to opt back into SERPS once the 9 per cent. cap on the rebate is reached? In his opening statement, he gave the impression that he thought that people would keep their policies to retirement, but in *The Sunday Telegraph* of 31 March, Mr. Ron Spill, pensions consultant with Legal and General, suggested that there were still pivotal ages for contracting back into SERPS: about 55 for men and 45 for women. What does the Minister expect to happen, and what assumptions has he made about that?

Will the Minister place on record his view of how the rebate levels that have been set for salary-related schemes, money purchase schemes and appropriate personal pensions will affect the balance between these different

types of pension provision? There are substantial costs involved in the rebates. As far as I can make out from the orders, overall administration costs in approved private pensions are some five times as high as in occupational pension schemes.

If rebates were being paid to personal pensions at the same rate as they are being paid, in effect, to members of final salary schemes or salary-related schemes, the reduction in payment would be about £300 million: the loading for the higher costs of personal pensions involves some £300 million per annum of public money, so the issue of the balance between different schemes is of great importance.

In the past decade, there has been a consistent trend away from defined benefit schemes towards defined contribution schemes. It is difficult to quantify, but no one seems to deny that it is taking place. Next year's introduction of combined schemes, offering one set of benefits to one group of employees and another set of benefits to another, seems likely to hasten the process. The problem, in principle, is not so much the different way of generating benefits, as the fact that the shift is commonly associated with a reduction in employers' contributions to employees' pensions.

The Secretary of State has announced his intention to promote the sale of group personal pensions. He is presenting it as a way of bringing pensions to people whose employers do not currently provide them. In practice, it is more likely that they will appeal to employers who are searching for ways of reducing their contribution to an existing pension scheme and its members.

During the passage of the Pensions Act 1995, the National Association of Pension Funds, among others, expressed concern at the failure to establish a level playing field between different types of pension provision. A tilt in the value of the contracted-out rebates could influence the decision about which type of scheme an employer establishes on grounds that are not directly related to the best interests of employees.

The Government seem to have been in several minds about the treatment of money purchase schemes. Originally, they were not sure whether they should have age-related rebates at all; then they suggested that they should, but at a lower level than personal pensions, creating a differential in favour of personal pension providers. Now they have set them at the same level, in effect, as personal pensions, but at the expense, it appears, of creating an even bigger divide between salary-related and money purchase schemes.

What does the Minister expect to result from the structure of the rebates? Does he expect the rebates to hasten the shift from salary-related schemes to money purchase schemes? If so, is that the Government's policy objective? Does he have any concerns about employers who use that move as an opportunity to cut contributions to their employees' pensions? What does he expect to happen to the balance between contracted-out money purchase schemes and personal pensions? How does he respond to the view that I have received from an industry source who notes that many life offices withdrew from the money purchase market and few new money purchase schemes have been set up since 1993 because of the complexities involved?

The latest contracting-out changes continue a system that requires different administration for a money purchase scheme and for a contracted-out personal pension. The arrangements for a money purchase scheme will be even more complex. As before, the employer will have to operate a contracted-out payroll for national insurance purposes with a special rebate of 3.1 per cent. Minimum contributions equivalent to the flat-rate rebate will have to be paid by the employer to the scheme trustee monthly, and, at the end of the tax year, the Department of Social Security will pay a supplementary age-related rebate to the trustees to top up the flat-rate minimum contributions.

The view is expressed that the balance in these rebates now means that there are few advantages in establishing and running a money purchase scheme, and that it is likely that employers will set up only group personal pension schemes, and that remaining money purchase schemes may be wound up in favour of group personal pensions. Does the Minister share that view? Is that the Government's objective? What does he expect the outcome to be in the balance between money purchase schemes and personal pensions?

The Government should have learnt by now that there is a close relationship between what they do and what happens in the pension industry. It would be disastrous if the rebates caused a further movement in the slide towards lower-quality pension provision and reduced pension rights, which has been the hallmark of the Government.

7.27 pm

Mr. Frank Field (Birkenhead): The Minister was kind enough to give way earlier so that I could ask a question. The reason I wished to do so was so that I and perhaps other hon. Members could be clear on the costs of the orders that we are discussing. The Minister kindly replied that it would be convenient if he answered the question in his winding-up speech. Clearly, it would be convenient to him, but it is not to the rest of us. I shall return if I can—

Mr. Heald *rose—*

Mr. Field: If we are going to hear the answer now, that is even better.

Mr. Heald: I am grateful to the hon. Gentleman. I have answered his parliamentary question on that point. The various costs are set out from the year 1997-98—when the cost is £7.7 billion—to 2001-02, when it is £8.1 billion. He should bear it in mind that, if the present system were to continue unchanged, the cost in 1997-98 would be £8 billion, not £7.7 billion, so there is no question of these being extra costs.

Mr. Field: If I understand the Minister aright, he is now saying that he is cutting the cost to the national insurance scheme of introducing age-related rebates. If that is the result of what he has just told us, I should have thought that the industry might have had a few things to say before we reached this debate.

Mr. Heald: The various different categories are set out in the answer, so that the hon. Gentleman can see the way in which the figure of £7.7 billion is calculated. The point that I am making is that, if the system remained as it is at present, the overall cost would be £8 billion, not £7.7 billion.

Mr. Field: I am sorry to appear so thick, but I still do not understand the answer. Are we saying that, if there

[Mr. Field]

were no orders tonight, the cost of the scheme with the existing rebates would be £8 billion, and that with these changes that cost is reduced to £7.7 billion—in other words, some people who are currently getting rebates will get less rebate as a result of the measure because we are substantially rescheduling those rebates towards age-related rebates? I know that I am supposed to be making the speech, but I should be grateful if, at some stage, the Minister could intervene to clarify that point.

Mr. Heald: The point is that, at the moment, the scheme relies upon flat-rate rebates. The point about age-related rebates is that they become larger each year as the person grows older and the amount of money necessary to go into the scheme to replicate SERPS gets larger. Therefore, there is an effect of compensating some people more than previously and under-compensating others in comparison, so that one ends up with a taper rather than a flat-rate charge.

Mr. Field: If I interpret that intervention correctly, it means that the scheme now is weighting the subsidy towards older rather than younger workers—*[Interruption.]* If that is not the case, I fail to comprehend what the order is about. As I understood it, the Government needed to make substantial concessions to older workers who are contracted out of the scheme to ensure that they remained outside.

I tabled a question asking what would be the cost specifically of the new age-related rebates. The answer was given and the Minister included it in his speech. The Minister is now saying that the total cost to the national insurance scheme of the subsidy package is marginally less than what it would have been had the old orders remained in place.

Mr. Heald: If one looks at the overall figures, the overall reduction is £0.3 billion. The significant part of that concerns salary-related schemes rather than the age-related rebate part. As far as that is concerned, there is no significant reduction in the overall amount, but there is a change in the taper as a result of the introduction of age-related rebates rather than a flat-rate scheme.

Mr. Field: I am grateful for that. I shall not ask the Minister to intervene on that point again, but I shall return to it in a moment.

I have one other question for the Minister, which he might be able to answer when he replies to the debate. Perhaps, understandably, the Minister kept carefully to his brief when introducing the orders to the House. No doubt most of us in his position would have done the same. He continued at some pace when he was covering the question of charges for those who have undertaken private pension arrangements. What I could not quite grasp, because I was trying to hear him and understand the parliamentary answer that he read into his speech, was whether he thought that the charges would be reduced because of the power that the Government had over whether people would be able to claim their rebates, or whether the Government had the power to set the charges throughout the private sector for the servicing of personal pensions.

I shall try to keep my second point going for long enough to enable the Minister to answer that point before we end. Will the Minister use mere suasion to force down charges or, in the background, do the Government have the power if they wish not only to set charges on personal pensions in respect of the rebate, but more generally? That was the question which crossed my mind listening to him.

Mr. Heald: As the hon. Gentleman will know, the new rules that have been brought in on disclosure, coupled with competition and setting the rebates at a level that reflects the position of the best providers with the most efficient levels of charges, should mean that those who are purchasing personal pensions have the best possible deal. There is no doubt that those measures, working together, providing an element of transparency and competition, are creating the right circumstances for the best arrangements to be made.

There is a power, as the hon. Gentleman will know, which the Government are entitled to exercise by statute, to restrict the level of charges, but that is not something which has been done, and it is certainly competition and the element of transparency on which the Government rely.

Mr. Field: I am grateful for that, because it will be news to most hon. Members that the Government have always had the power to set the level of charges in the private sector in respect of servicing pensions, despite all the evidence that we have had about the size of those charges. The Government are now saying that, because of disclosure and growing competition, charges will be pushed down. If, in fact, after a period the Minister's faith in competition pushing down charges is not fulfilled, will the Government move against the industry and against some of the levels of charges that my hon. Friend the Member for Southampton, Itchen (Mr. Denham) described in his opening comments?

Secondly, I wish to move back to the question of costs. I am pleased to see the Secretary of State for Social Security on the Treasury Bench. He is adept in the public debate at saying to anyone who comes up with proposals for reform that costs must clearly be attached to such reforms and that we should be certain about what those costs are, and even consider what the rate of tax would be to implement those reforms.

What I thought was interesting about the parliamentary answer that I was given earlier today was that we have the cost of maintaining the Minister's strategy. The cost of the rebates during the next five years is the equivalent of 5p on the standard rate of income tax. If the Minister wants to join in the debate that the Opposition are beginning, on opening up the options of how social security might develop in the next Parliament, I hope that he will bring to it a clear declaration that his policy is not without costs and that, for each of the next five years, his policy is costing every working taxpayer the equivalent of an additional 5p on his standard rate of income tax.

The "Lilley package", if one can call it that, does not come without a price tag. The price tag was disclosed in the parliamentary answer this afternoon and it is a significant one. It helps to open up the debate on the Opposition Benches. The status quo will have that cost, so should we think of changing the status quo, we know that we shall be starting with 5p on the standard rate of income tax as the cost of the Government's current strategy. That was the point that I wished to make in the debate.

I am also pleased about the clarification that we heard earlier. While the debate was raging in the country over the appalling level of charges that some companies were making for those who had bought the Government's package, had gone private and had contracted out of SERPS, when figures were being produced showing that some people would have charges that wiped out the whole of their savings, the Government kept quiet about the fact that they had the reserve powers to direct what those charges should be.

We now know that they have those powers and have never once in one of those years sought to use them. Again today, the junior Minister has said that he is depending on competition to force down charges and safeguard people's savings. If that policy is unsuccessful—as it has been in the past five years—will the Government act to regulate charges before we rise for the summer recess?

7.39 pm

Mr. Heald: With the leave of the House, I shall reply to the debate. The hon. Member for Birkenhead (Mr. Field) raised a number of issues. I dealt with most of them in interventions that he kindly let me make.

On the question of interfering in the market and setting a level by restricting the charges that can be levied, the hon. Gentleman should concede that there are dangers in such interference. If the level is set too low, there may be no provision at all. If the level is set too high, there may be a risk of exploitation of the position. So the Government's view has been and remains that transparency and competition—the new disclosure arrangements and companies competing in the market for pension business—is the best way forward. We have no intention at this stage of considering any changes in that approach.

Mr. Frank Field: While we all accept that charges can be so low that the industry will not be able to provide a service, the Minister also accepts that charges can be too high. There is a weight of evidence that, in some schemes, people have the whole of their savings wiped out by charges. As the aim of the Government's reform is to ensure that people have a substantial sum of pension capital, so that they will have an income and will not be dependent on welfare when they retire, surely, in instances in which the level of charges is such that it puts at risk whether a person receives an adequate pension or any pension, the Government ought not to sit back and wait for competition to push down charges. Surely they ought to flex their muscles and let the industry know that they will act if such levels of charges continue.

Mr. Heald: The danger in the hon. Gentleman's approach is that, if one looks at one year in isolation and says that, in that particular year, 77,000 out of 5.6 million personal pensioners paid one contribution in and they have not done so since, one gets a false picture of what pension provision a lifetime of work will achieve. That is the point that the hon. Member for Southampton, Itchen (Mr. Denham) made.

Mr. Denham: Is the Minister saying that it is of no consequence that 70,000 people who bought personal pensions in one year entirely wasted their pension savings and will have no contribution to their pension to show for that year? Surely to those 70,000 people that is of enormous importance. A large number of people who have been in pension schemes for longer will have nothing to show for it. Surely the Minister cannot dismiss that so lightly.

Mr. Heald: It is a small proportion, and it is not indicative of what the result would be over a lifetime of work. The whole point of personal pensions is that they are flexible. People may pay in one year, not pay for several years thereafter, and then pay in solidly for many years. The Government have encouraged a form of pension that is flexible. The same is true of SERPS. If people pay in one year, it does not buy them much. If they have a long contribution record over years, the pension is judged on that basis, and the benefits they receive are higher.

Mr. Denham: Does the Minister accept that the point about SERPS is that people cannot lose a year's pension rights once they have earned them? It is wrong to say that personal pensions are the same as SERPS. In SERPS, if people work for a year and earn above the lower earnings limit, they establish a year's pension rights, which they cannot lose. Everyone accepts that the pattern that the Minister described of someone in and out of a personal pension produces a result that is bad value for money.

Mr. Heald: The hon. Gentleman surely concedes that one year's contributions to SERPS taken as indicative of final pension provision would not amount to more than a few pence. Any pension scheme depends on a contribution record. The Government have always recognised that, but one of the advantages of personal pensions is their flexibility. They are a vehicle that can be built on. Many people who have bought personal pensions welcome that.

It is wrong to say that there is firm evidence that rebate-only personal pensions are unsuitable for specific types of employee. Neither low earnings nor time out of the employment market necessarily means that the final personal pension will not be as high as that from SERPS. One of the reasons for that is the high levels of yield that have been achieved in the private sector in the years since 1980. The hon. Gentleman knows the figures as well as I do—10 per cent. in real terms. It is true that charges vary from scheme to scheme, but only a financial adviser, who is in a good position to judge, can determine what is the best product for an individual.

Some of the other points raised included the level of the rebates. Some detailed points were raised about that. The hon. Member for Itchen asked whether it was the Government's objective to see employers with occupational money purchase schemes switch to group personal pensions. The answer is no. The Government want to see the second tier of funded provision, which has been built up carefully over the years of this Government, protected and improved.

We should like to see more individuals taking the option of funded pension provision, if it is the right scheme for them. The hon. Member for Itchen should bear it in mind that employers are not obliged to have occupational schemes, and not all do. Group personal pensions are an additional option especially suitable to those who currently make no provision. We have no reason to think that occupational money purchase schemes will disappear.

[Mr. Heald]

As for the question whether contracted-out money purchase schemes are viable according to the pensions industry, I do not know whether the hon. Gentleman had an opportunity to read the comments by Alan Jenkinson, the highly respected policy director of Sedgewick Noble Lowndes. He said:

"Directly invested contracted-out money purchase schemes now start looking as attractive as personal pensions. What Mr. Lilley has done with contracted-out money purchase schemes is to bring them into line with personal pensions."

I believe that the hon. Gentleman will agree that the views of someone such as Alan Jenkinson, who has spent a lifetime in the field and is well respected, are worth considering. They were some of the first comments made after the orders were laid.

The hon. Member for Itchen said that employers might use the trend towards contracted-out money purchase schemes and away from contracted-out salary-related schemes to reduce their contributions. We attach great importance to good-quality pension provision and we hope that employers will not reduce their level of contributions. We want them to make the best use of the flexibility available to them to maintain good levels of provision for their work force.

I hope that the hon. Member for Itchen and his hon. Friends concede that the contracted-out money purchase scheme and appropriate personal pension are viable options for various categories of individuals and companies. They have enabled us to expand pension provision in the private sector. I believe that it is wrong always to defend state provision at the expense of private sector provision. It is easy to become Mr. Nationalisation. The hon. Gentleman must recognise that personal private pension provision has given this country £600 billion-worth of assets—more than all the other European countries put together—which will enable us by 2030 to pay off the national debt and start accruing assets at a time when other countries will be beggared.

Mr. Denham: Does the Minister accept what I said in my opening speech, that this debate is not about the value of funded pensions, but about the fact that so much of the money that goes into funded pensions goes down the drain? The Government have tipped it down the drain like there is no tomorrow. We need funded pensions where people know that their savings are going to grow, be used to provide pensions and not be wasted in fees and charges. The Minister has not yet addressed that issue.

Mr. Heald: The Government have addressed those problems. It is easy always to carp and criticise and say that everything that the Government do is wrong—that every aspect of personal pensions is wrong, but that the principle is right. As a result of the Government's policies, 5.6 million more people have pension provision. For many of them, that will mean a far better retirement than they would have had otherwise.

I was asked why there had been a reduction in the cost of the rebate. The reduction is owing to the reduction in the contracted-out salary-related rebate. The cost of introducing age-related rebates is broadly neutral. The figures that set that out are given in my answer to a parliamentary question from the hon. Member for Birkenhead.

I was asked about whether flat-rate charges drastically reduced the value of individual personal pension funds in years when people could not contribute. I accept that all charges affect the total amount of funds in a personal pension, including the flat-rate charges. Not all personal pension providers levy flat-rate charges, and all such charges are now disclosed to individuals when they take out such pensions. The new age-related rebates have been calculated excluding flat-rate charges and have been based on the charges of the more efficient pension providers.

I was asked whether people earning £10,000 a year or less should invest in personal pensions. There is no golden rule that people who earn less than that should remain in SERPS. It depends on the circumstances of the individual, investment performance and the charging structure. The fact that some providers use that figure is not proof that people would be unwise to take an appropriate personal pension with another provider. The hon. Member for Itchen has said:

"There is no single, simple measure of whether an individual will be better off in SERPS or with an APP. This will depend on the cost and charges of individual schemes, the performance of investments and the number and level of contributions people make."

That was a sensible comment, with which I would agree. It runs counter to some of the arguments that he was putting.

Mr. Denham *indicated dissent.*

Mr. Heald: The hon. Gentleman spent a good deal of time telling us his views about people earning £6,000, £7,000 or £10,000 a year.

Mr. Denham: It is a lot of people.

Mr. Heald: As the hon. Gentleman says in a semi-sedentary remark, it is a lot of people, but his comment in his 23 February press statement was more sensible. He asked whether I would confirm that there is no question of personal pensions beating the market. The Government Actuary was prudent in his assumptions, in estimating the size of the rebates needed to replace future SERPS that have been forgone. In practice, investment returns vary and may well exceed those assumptions. Over the past 15 years, fund returns have averaged almost 10 per cent. a year in real terms. In future reviews, the Government Actuary will, of course, take account of the latest information and assumptions.

The hon. Member for Itchen mentioned that half the people who bought appropriate personal pensions in 1987-88 have failed to make regular contributions. I have already answered that by saying that it is not sensible or realistic to assume that a short period of zero or low contributions indicates a lifetime experience. He asked whether the Government were biased against the benefits offered by salary-related schemes. I can give a simple answer: no, we are not.

The hon. Gentleman asked whether flat-rate charges that were unrelated to the level of contributions made personal pensions a bad deal. I have answered that, too. He asked whether the 9 per cent. cap would cause people to go back into SERPS. We have decided to phase in age-related rebates by means of the 9 per cent. cap, but setting the cap at that level means that the majority of the

current APP holders should be able to maintain their plans until retirement without imposing an excessive cost to the public funds. In so far as other commentators may not agree with that, we do not believe that they are correct. *[Interruption.]* I could expatiate on that at great length, but I have had advice that that would not be wise.

Mr. Denham: The Government's intention with the rebates is that people should normally hold their personal pensions until retirement. On that issue, the Government are saying not that people should seek the advice of an independent financial adviser, but that they should stay in their schemes because it will save the Government money and stop them opting back into SERPS, contrary to what some financial advisers are already saying.

Mr. Heald: I believe that the hon. Gentleman's comment was slightly mischievous. We always advise people to take independent financial advice. It is prudent to do so because individual circumstances vary. I would not wish to change that.

The hon. Gentleman carped and criticised a good deal. He and his party's spokesman on social security have been asked to think the unthinkable for six months—180 days. For ideas, they have been to Singapore, Finland, Australia and Chile.

Mr. Denham *indicated dissent.*

Mr. Heald: The hon. Gentleman says that he has not personally had the trips, but members of his team have. They have been around the world in 180 days like latter-day Phineas Foggs, but they have not found an answer any better than the Government's proposals. I commend the orders to the House.

Question put and agreed to.

Resolved,

That the draft Social Security (Minimum Contributions to Appropriate Personal Pension Schemes) Order 1996, which was laid before this House on 13th March, be approved.

Resolved,

That the draft Social Security (Reduced Rates of Class 1 Contributions) (Salary Related Contracted-out Schemes) Order 1996, which was laid before this House on 13th March, be approved.

That the draft Social Security (Reduced Rates of Class 1 Contributions and Rebates) (Money Purchase Contracted-out Schemes) Order 1996, which was laid before this House on 13th March, be approved.—*[Mr. Heald.]*

Local Government Finance

7.46 pm

The Parliamentary Under-Secretary of State for Health (Mr. John Bowis): I beg to move,

That the Special Grant Report (No. 17) (House of Commons Paper No. 299), which was laid before this House on 18th March, be approved.

Madam Deputy Speaker (Dame Janet Fookes): I understand that with this, it will be convenient to discuss the following motion:

That the Special Grant Report (Wales) 1996 (House of Commons Paper No. 297), which was laid before this House on 18th March, be approved.

Mr. Bowis: The first order sets out two grants for English local authorities. The first is the special transitional grant to local authorities in England for 1996-97 for expenditure on community care services. The second is the capital limits for residential accommodation charges grant for England. The second order sets out the allocation of the special grant to local authorities in Wales for the changes to the capital limits for residential accommodation charges.

Special Grant Report No. 17 sets out the amount of special transitional grant—STG—for each English local authority for 1996-97. The total amount of the grant is £418 million. The special transitional grants for each of the years 1993-94, 1994-95 and 1995-96 have now been included in the standard spending assessment for personal social services. The total funding that we are giving in 1996-97 to English local authorities for their new responsibilities under the community care reforms is therefore £2.256 billion—a very substantial sum indeed. This is planned to rise still further, by another £325 million, next year.

Even that is not the total provision that the Government are making for community care. The total provision for community care in England for 1996-97 is £5.6 billion, and the total funding for all social services is £7.4 billion. Total resources for community care have increased by 10 per cent. in cash terms this year on last and by 99 per cent. in real terms since 1990-91. That shows the substantial commitment that we have made to providing resources to enable local authorities to meet the needs of their local communities. Of course, it remains up to local authorities to decide how much of their general funding they actually spend on community care.

Apart from the overriding condition that the resources be spent on community care, the only condition that we attach to the special transitional grant is that 85 per cent. of it should be used to purchase services from the independent sector, and that that is in addition to the amounts that authorities have been required to spend in the independent sector in previous years.

The independent sector condition has proved to be an effective measure, giving stability to the market at a time of change, providing existing residents with security and opening up choice to the user. Local authorities should not close down options by creating false divides using restrictive accountancy practices to dictate phoney choice instead of offering real choice to the individual. In its

[Mr. Bowis]

report, the Audit Commission said that accounting separately for the STG and other community care resources can lead to distortions, and that

"where authorities apply maximum cost limits to packages of care . . . local authority services are sometimes . . . treated as a 'free good' . . . this practice distorts priorities".

The Audit Commission recommended that

"Resources need to be managed in an integrated way and merged into a single commissioning budget."

We are providing large sums of money to local authorities for community care.

Mr. Alan Milburn (Darlington): Will the hon. Gentleman give way?

Mr. Bowis: Yes, as it will give me time to find my place.

Mr. Milburn: I am glad to be helpful, as ever. Can the Minister confirm that he still intends to end the ring fencing of STG moneys? This would be the last year of the ring fence. Also, how will he guarantee that community care funding goes where it is needed in future years, particularly given the environment that most local authorities operate in?

Mr. Bowis: I can tell the hon. Gentleman that this is the fourth year of the four years that we said would have the transitional grant, which was ring-fenced. Although I have given an indication of the resources that will be available for that in future years, it will be up to local authorities to use the money wisely and ensure that it is spent as it should be, which is for community care and other personal social services.

The determining factors in the expenditure of the money must be quality of service and value for money matched to the individual's needs and choices. When it comes to value for money, local authorities often need to bring down their costs. They need to consider carefully the justification for spending more on directly provided services than an equivalent service provided by the independent sector. The difference in costs when multiplied by the number of users presents some authorities with the opportunity of considerable savings in their present budgets, and they could be used to improve and extend the community care services they offer their local communities.

This year, the distribution of the special transitional grant is again based on the standard spending assessment formulae. That is the most equitable method of distribution, as it is based on an assessment of the relative needs of each local authority.

I now deal with special grants for the changes to capital limits used in the assessment of charges for residential care. Charging for residential care has been in place since a Labour Government introduced the National Assistance Act 1948. As my right hon. and learned Friend the Chancellor of the Exchequer announced in his 1995 Budget statement, the capital limits used in the assessment of charges are being increased this month from £3,000 to £10,000 and from £8,000 to £16,000. The same rate of assumed weekly income will apply to capital between £10,000 and £16,000. The new limits take effect from 8 April this year.

The increases have been warmly welcomed by all concerned. They are excellent news for elderly and other vulnerable people who make a contribution out of their capital for care. The increases are to be funded through special grants for 1996-97 only because there was insufficient time left during this financial year following the Chancellor's announcement for them to be funded through the usual means of the SSAs for local authorities.

I am grateful to the local authority associations for the help and advice they gave us and the information that they provided us with in working out how the increases should be financed. There are considerable difficulties in forecasting the future costs of such a change, as it involves an unknown number of people. There will inevitably be different views of the cost. Having taken into account the information gathered by the associations, it was clear that the Government's initial cost estimates for the effects on social services authorities were a little low, so we decided that £64.487 million for England and £3.882 million for Wales was right.

Mr. Milburn: Having thanked the local authority associations, will the hon. Gentleman confirm that their estimate of the costs of the increase in the capital disregard is not £64 million but £141 million?

Mr. Bowis: I am certainly happy to confirm that they put in a higher figure, just as the figure that we had initially been working on was lower. We considered the various factors that they presented. We felt that some were speculative. Others were what we deemed to be items that we could take into account. We listened and considered and came up with the increased figure, which is fair and will be judged as such.

We decided to distribute the grant to English social service departments using the SSA for residential services for elderly people. For Wales, the local authority associations agreed that the SSA distribution formula for elderly personal social services would be an equitable basis for the distribution of the special grant for 1996-97. Again, it was for one year only. The distribution of the resources for future years will be made using the corresponding indicators in the SSA distribution formula.

The Government have clearly shown their commitment to community care and made substantial resources available. These special grant reports provide for the distribution of additional funds to local authorities totalling more than £482 million for 1996-97 for England and £3.8 million for Wales. They are fair settlements. We now rely on the local authorities concerned to produce fair results for the people who are to benefit from them. I commend them to the House.

8.5 pm

Mr. Alan Milburn (Darlington): I thank the Minister for outlining in a fairly succinct way the Government's views on the special transitional grant and community care funding. I am disappointed that this debate has taken place at the fag end of the parliamentary Session. Some might say that that shows that the Government have something to hide. Indeed, as I proceed through my speech, I shall try to highlight the fact that the community care system is coming under more pressure and that the very people it is supposed to support are beginning to be denied care.

At the outset, I should say that there are two issues on which there is agreement. First, community care is right in principle. The overwhelming majority of disabled and elderly people want to live as normal a life as possible in their own homes and contribute to the community.

Secondly, all hon. Members will concur that we owe an enormous debt of gratitude to those who organise and provide care in the community—not just local authorities, but private sector organisations and voluntary organisations, social workers, district nurses, home care assistants and staff who work in residential and nursing home establishments. They provide invaluable services, often in difficult circumstances. Their work is underpinned by those who provide care for free—the army of unpaid carers, often women, who are the foundation on which the whole community care edifice is built.

There is no disagreement in principle with the thrust of community care—quite the opposite. There is unequivocal Opposition support for the community care principle. Our profound disagreements concern the way in which the Government have implemented community care. In our view, they have produced a chaotic, perverse and unfair system that denies choice, limits quality and wastes public money.

The special grant report does nothing to correct those deficiencies. In some respects, it merely makes matters worse. In his canter through the facts, the Minister repeated the mantra that is all too often the common parlance of Health Ministers when they are in trouble—everything is fine because we are banging a lot more money into the system.

Indeed, on a cursory examination of the figures in the report, the Minister seems to have fact on his side. On the face of it, there are lots of new resources and a substantial increase in funding, but the Minister omitted to mention two further factors that rather undermine his case. First, the social security transfer and independent living elements of the STG moneys do not represent new cash; the money was already in the system. The only difference now is that it is cash-limited.

Secondly, the £418 million of STG highlighted in the report is a large element—indeed, the bulk element—of the £481 million that the Government suggest overall social services spending should increase by in the current financial year. In reality, total standard spending on social services this year is less than actual social services spending last year—that is before any account is taken of inflation, of pay rises and of additional responsibilities that local authorities will have to bear, including those resulting from the most welcome Carers (Recognition and Services) Act 1995, which came into being on Monday 1 April.

The local authority associations' latest survey of social services departments has found that 48 out of 68 local authorities are having to make net reductions in budgets totalling approximately £116 million. In case the Minister thinks that that is purely vested interest, I point him towards other evidence. Independent analysts, such as Laing and Buisson, have said that the budget settlement for 1996-97 will not be sufficient to cover inflation and increased demand as a result of demographic change and additional local authority responsibilities, and that they are predicting severe bed blocking in the national health service as a consequence.

Mr. Bowis: The Government have increased the resources for that area by 10 per cent. in cash terms this year and we have increased resources from £3.6 billion to £7.4 billion in six years. I ask the Opposition spokesman: how much more money would the Labour party put in right now?

Mr. Milburn: I shall correct the Minister on one point: over the past three or four years, the personal social services SSA has fallen by around 5 per cent. in real terms, as he knows. As for additional investment, during my speech, the Minister will hear ways in which the Labour party proposes radical reform of community care provision to get better value for money—that is the pressing priority. Money alone will not solve the fundamental fault lines that now characterise community care provision.

Far from there being lots of additional new cash available for community care services, at best there is a standstill budget in this financial year and at worst there is a lower budget than last year. However, as the Minister will know, demand for services has not stood still—quite the reverse: demand is rising sharply. The Government should not be reticent about that fact. Indeed, it could be argued that one of the real successes of the community care reforms has been the stimulation of demand for services from people who need them. That is very welcome.

Last year, a report by the Association of Directors of Social Services showed referrals increasing by 14 per cent. per annum and assessments generally rising by 11 per cent. per annum. Against a background of rising demand, local authorities are continuing to uphold community care policy, but to provide a service to those most in need, they are reluctantly turning to rationing and charging for services.

The Audit Commission has found that most authorities are increasing home care services, but I understand that a forthcoming report from the London Research Centre will find that packages of care are increasingly concentrated on those with the highest level of dependency. If local authorities cannot afford to support people with relatively low levels of need in their own homes, they may deteriorate quickly and enter residential care prematurely. We all agree that one of the central thrusts of community care policy has been prevention—ensuring that, as far as possible, people retain independence and do not become dependent—for the sake of the people involved and that of the taxpayer.

There are also major flaws in the way charging policies are implemented. Financial constraints are leading more local authorities to charge more for local services, but there are almost as many charging systems as there are local authorities. This was one of the conclusions of the National Consumer Council report that was released a year or so ago. The National Consumer Council, the Audit Commission, local authority associations, many providers and patient organisations now argue that there is a need for much greater national clarity to govern local charging policies—and we endorse that view.

We also take the view that other reforms are needed. During last year's debate, the Minister claimed to have removed any perverse incentives towards placing people in residential care. Such a claim now seems to have been somewhat premature. The Audit Commission said

[Mr. Milburn]

recently that it is almost always substantially cheaper for local authorities, in the current financial environment, to place people in residential care, even when there is no difference between the gross cost of residential care and care at home. When residents qualify for the residential allowance in independent sector homes, there is an even bigger cost advantage in using residential care.

Local authorities are working hard to maintain people in the community, in spite of that anomaly. Last month, the Audit Commission concluded that it was to many authorities' credit that they were increasing home care in line with the Government's policy, even though it was cheaper for them to make more use of residential care under the rather perverse financial arrangements that underpin the report that we are discussing. There is a clear danger that the successes of community care will gradually be reversed unless the perverse financial incentives are addressed as a matter of urgency.

The threat of more institutionalisation is due in no small part to the impact of the NHS reforms on community care services, which the Government introduced. Competition between hospitals, pressure to increase patient throughput and NHS performance measures have all contributed towards the more rapid discharge of patients into the community. It is a classic case of one hand not knowing what the other hand is doing. It is understandable, if not forgivable, when two separate Departments are involved in the decision-making process, but it is incomprehensible when one Department—the Department of Health—is responsible for the mismanagement.

For all the talk of a primary care-led NHS, it is a change in the make-up of the acute health sector that is responsible for driving change in the community sector. It is also becoming increasingly clear that community care services are being overwhelmed with increased responsibilities. Recently, Age Concern reported that elderly people are being forced into residential care due to excessive waits for occupational therapy assessments.

The impact of these policy failures on local authorities is also severe. They have been forced to absorb additional costs shunted on to them by the NHS, for which no financial allowance has been made. In particular, NHS disinvestment from continuing care responsibilities has produced a redefinition of responsibilities between health and social services. The Alzheimer's Disease Society—among many organisations—has voiced concern about the impact of these changes on vulnerable people.

During the 1980s, back-door privatisation was taking place right under the public's nose. There was an unplanned explosion in private residential care, which was encouraged by Government policy, and then it was crudely restrained as benefit bills spiralled out of control. Costs to the taxpayer rocketed from £10 million to over £2,000 million. Those who now have to sell their homes as a consequence of the brakes being slammed on—an estimated 40,000 people a year—are rightly angry because they had fondly believed that the taxes they paid covered care from the cradle to the grave. They now find themselves in a grotesque game of pass the buck as cash-strapped health authorities and local authorities shunt responsibility back and forth.

Worse still, by passing responsibility to individual health authorities to decide which continuing care services should be available to elderly people, the Government have created a lottery in community care provision. Only a few weeks ago, even the Department was forced to rap the knuckles of health authorities that had produced inappropriate continuing care eligibility criteria.

The picture is clear. It is obvious that the care that a person receives and the price that he pays for it depend on where he lives. We, the Opposition, say that that sort of national lottery should have no part to play in the NHS or in any civilised system of community care.

The report does nothing to correct fundamental deficiencies in the system of providing and funding community care. The Government have produced a system that is chaotic, perverse and fundamentally unfair. The system cannot cope with increased demand because it is riddled with fault lines. Pouring in more money alone will not sort out the mess. The pressing priority is for a far-reaching reform of how the system operates in practice. That requires a new approach. We believe that four reforms are needed.

Mr. Gary Streeter (Plymouth, Sutton): Labour reforms?

Mr. Milburn: Four Labour reforms are needed, as the Government Whip says from a sedentary position.

First, there is a need to offer more choice for community care service users. The stark lack of choice in the community care market, polarised between fairly low levels of domiciliary provision and fairly high levels of expensive residential provision, often means that intermediate forms of care are unavailable to those who can best benefit from them.

The current gaps in provision deny choice to the individual who needs care, and load unnecessary additional costs on the taxpayer. A range of services is needed, including home-based care, respite care, convalescent care and residential care. We want the Government to remove perverse financial incentives towards more institutional forms of care. Institutionalisation is the very reverse of what community care is supposed to be all about.

In that context, it is disappointing that, through the report, the Minister has decided to retain the requirement that local authorities must spend the bulk of their STG budgets in the independent sector. Surely the requirement for them to do so has long since gone. By and large, there is a well-developed mixed economy of care that is thriving in most parts of the country.

Secondly, there is a need to end the lottery in the provision of community care services. The Government could begin by introducing, after consultation with users, carers, providers and statutory bodies, a national framework for local charging policies. We, the Opposition, support the call that has been made by the Select Committee on Health for a nationally set framework that specifies eligibility criteria for long-term care so as to define what the health service, a national service, should provide. We support that approach. Do the Government support it?

We think that the Select Committee's call for a national long-term care charter so that people may know what they can expect from health, housing and social services is absolutely right. We support that; do the Government?

Thirdly, there is a need to improve standards in community care services. Standards will rise, however, only if there are appropriate safeguards. We, the

Opposition, recognise the benefits that can flow from a mixed economy of social care that involves public and independent providers. We are in favour of diversity. We are in favour also of consistency. Our concern is to ensure that there is a level playing field of high standards in all forms of care in the private sector, in the public sector, in residential provision and in domiciliary provision. I hope that the Minister's response to the moving forward of the consultation process will concur with the Opposition's.

Fourthly, there is a need to end the waste of time and money that now bedevils the planning and supply of community care services. That means finding ways of overcoming differences in values and structures between local government and the NHS that can frustrate joint working. When local authorities and health authorities tussle over responsibilities and resources, it is the elderly person and the disabled person who loses out. We want new, nationally agreed mechanisms—if necessary, enforced—to speed co-operation among the three principal organisations that are charged with the planning and delivery of community care services; health, housing and social services.

The four-point plan that I have outlined would broaden choice, raise standards and provide better value for money. Instead, the Government seem content to pour money into a black hole. Our reforms would be the basis on which to provide long-term care for the elderly in future.

We are proposing a radical shift in the way community care services are planned and delivered. The current system is unfair, restrictive and inefficient. Our proposed changes to community care policies would provide more choice, higher standards and better value for money. Our proposals will help to bring order where there is now chaos, fairness where there is now injustice and consistency where there is now a lottery. Above all, they would bring security to people in old age, where there is now glaring insecurity.

8.25 pm

Mr. Ieuan Wyn Jones (Ynys Môn): I am pleased to have the opportunity to make a short contribution to the debate. I shall speak to the Special Grant Report (Wales). Before doing so, however, I take up the Minister's opening statement.

In general terms, the Minister claimed that the Government had introduced a substantial cash increase over a number of years. The Minister may recall that when we were debating the principle of community care in the late 1980s, especially in response to Sir Roy Griffiths's report, he suggested that if community care were introduced a proportion of those who claimed to be inappropriately placed in residential homes and nursing homes might wish to be cared for in their own homes.

The policy was introduced on the basis that a proportion of those claiming to be inappropriately placed would be cared for in their own homes. We now find that the number of people making that choice is much greater than anyone anticipated. The proportion of those who are choosing to stay at home as against going into residential nursing homes is substantially greater than hitherto, and I accept that it is greater than anyone on either side of the House expected. The cost of providing care at home is greater than providing care in a residential home. Local authorities in Wales are saying that the Government have not gone far enough to meet the demand for care at home. Some local authorities in Wales are saying that the financial shortfall this year is quite substantial.

The Minister said that local authorities should be seeking ways in which to become more cost-effective, by becoming enablers rather than providers. However, it is difficult for local authorities to do that, especially in extremely rural areas such as the one that I represent—the former county of Gwynedd, which is now the two counties of new Gwynedd and Ynys Môn—because there is no private sector to develop. It is therefore difficult for local authorities to consider moving along that line. There is a highly developed voluntary sector, but not an independent sector.

Local authorities in areas of Wales such as the one that I represent therefore do not have a choice, even if they agree with the Government's ideology and accept that that represents the direction in which they should be going. These are important considerations in the context of the debate.

I endorse the comments of the hon. Member for Darlington (Mr. Milburn) about local authorities in England. Similarly, local authorities in Wales believe that the Government have underestimated the amount that authorities require to meet some of the changes introduced by the Chancellor of the Exchequer's Budget—changes that we all welcome, although they do not go so far as some would have liked. The Government had to make up the funding shortfall for local authorities this year in order to meet those changed circumstances.

I have asked three local authorities in Wales—Ceredigion, Gwynedd and Ynys Môn—about their feelings regarding the provisions made under the order that we are discussing today. As set out in the Government's order, Ceredigion receives about £100,000, Gwynedd receives £191,000 and Ynys Môn receives £96,000. The local authorities tell me that the shortfall for the three counties totals £164,500—in addition to the cut that each local authority says that it will have to make in its general budget, including cuts in community care. I then asked the local authorities to tell me the reasons for that shortfall and the way in which the sums were calculated.

I am told that the Welsh Office estimates were based on figures arrived at after consulting the old counties and using a historical formula. The figures were also based on the current number of people in residential and nursing homes. The local authorities believe that it is also important to take into account those for whom the option of residential or nursing home care is now more attractive as a result of the Budget changes. The local authorities face the added burden of having to assess people for contributions who were previously outside the system. Therefore, there will be additional expenditure.

Local authorities will also have to consider employing more staff or part-time staff to meet the extra workload that the new system involves. The local authorities estimate that there will be more applicants to assess and that the system for assessing short-stay and long-stay patients will differ. As I understand it—perhaps the Minister will clarify this when he winds up the debate—short-stay patients will not benefit from the new Budget announcement, as their contributions will be based on the old system. However, long-term patients will benefit from the new capital threshold. In short, the local authorities

[Mr. Ieuan Wyn Jones]

that I have consulted believe that the Government have underestimated the demand and the need for extra staff to deal with the assessment procedures.

The local authorities estimate that the Government have not provided sufficient additional finance this year. If the local authorities' estimates are correct, will the Government do a reassessment during the year to see whether additional funding may be made available? While welcoming the assessment that has been provided through the special grant, I ask the Minister to assess the situation throughout the year and, if the local authorities prove correct, to meet their concerns.

8.33 pm

Ms Ann Coffey (Stockport): I should like to take this opportunity to complain about the small amount of grant that Stockport has received as compensation for the loss of income due to the changes in capital disregard.

The elderly residential standard spending assessment being used for the distribution of the specific grant comprises a number of indicators. These include, first, the number of elderly people living alone; secondly, the number of elderly on income support; thirdly, the number of residents in residential homes. The formula benefits those authorities with greater numbers of people on income support who are less likely to own their own homes. The SSA is reduced for local authorities with greater income as a result of residents having capital assets following the sale of property or receiving occupational pensions.

The situation is further complicated by the fact that the all-ages social index is used when calculating the overall SSA. It reflects, among other factors, the proportion of persons living in accommodation that is not self-contained; the proportion of persons without exclusive use of a bath or an inside toilet; and the proportion of elderly persons living in privately rented or housing association accommodation. Thus, if a council has a successful housing policy and also has more elderly people who are owner-occupiers, it will receive less central Government assistance. That is not a point of dispute in itself, but the value that each factor is given when calculating the revenue support grant is indeed a point of dispute.

The Department of Health has commissioned research regarding SSAs in two areas—children and the elderly—and both projects are due to report in June. I believe that that research is important. Before the introduction of the poll tax, the central Government contribution to Stockport, as elsewhere, was about one third of the council's total revenue expenditure on services. Since then, the situation has been reversed. Councils are also capped, which makes the new research very important in identifying indicators that will more sensitively match grant to need.

I return to my complaint about the distribution of the £64.487 million specific grant. As I have said, the SSA is reduced for those authorities which have more elderly people with capital assets—that is, home owners. Yet those authorities will lose income as a result of the capital disregard changes. Stockport calculated that it would need £822,000 to compensate for loss of income—£600,000 to compensate for loss of income from existing residents, and £222,000 to compensate for existing residents and patients whose capital decline brings them into new eligibility criteria and for new residents and patients admitted to care in 1996-97.

Stockport was given a grant of £331,000, which is half what it needs to meet the known loss of income from existing residents. The Government cannot have it both ways: if the SSA is reduced to reflect expected income from charges in residential and nursing homes, it is not unreasonable to expect those authorities with higher incomes to be compensated at a higher level as a result of the increase in the disregard, as they are likely to lose the most income.

From Stockport's point of view, it is ridiculous that the distribution mechanism for the specific grant is not based on actual loss of income as it was supposed to compensate authorities for loss of income. In a letter to the director of social services, Bob Lewis, on 20 March, the Department of Health said:

"the Association's survey of authorities' estimated costs was indeed very helpful to us, particularly in relation to the information about residents already known to the authorities".

It was so helpful that it persuaded the Minister to provide more specific grant overall, but it was not helpful in providing a grant which reflected Stockport's estimated, or even actual, costs.

I understand that the Minister argues that, as it is a one-off payment, applying a different distribution mechanism would risk significant changes to authorities' shares of the funding between the two years. Stockport is grateful for any offer of stability from the Government, but we would have preferred that stability to take account of fairness as well. It is not a fair distribution, particularly as Stockport is a capped authority. The social services division already faces cuts of up to £3 million, which must inevitably affect its ability to deliver support services to elderly and disabled people living at home—that is to say, community care.

The £500,000 shortfall must come from somewhere. The authority already has comprehensive charging policies for support services provided to people living at home. The £500,000 can be made up only at the cost of community care, which is delivered to people at home.

I am absolutely fed up with asking the local authority to consider requests from my constituents for something as simple as a shower, for example. People who cannot get into the bath unaided need a shower, which can make a dramatic difference to their quality of life. They cannot get a shower, because the authority does not have the money for that level of community care provision. That is an absolute disgrace, and the situation will be made much worse by the fact that Stockport has been robbed of £500,000 by the Minister. In future, I shall send all requests from my constituents for showers to the Minister: let him explain why they cannot have them. The authority does not have the money because of the unfairness of the way in which the specific grant has been distributed.

I hope that the Minister will listen to my plea: if later in the year he considers a supplementary grant, Stockport should be top of the list. May we have our £500,000 back?

8.40 pm

Mr. Gareth Wardell (Gower): I shall confine my comments to the Special Grant Report (Wales) 1996. I shall not make any comments on England, which will give one Minister at least a well deserved respite.

I shall examine the implications of annex B of the report. On 13 April 1993, the National Assistance (Assessment of Resources) Order 1992 came into force, and it impinges on the report. On 23 February 1995 Welsh Office circular 95/7, headed "NHS Responsibilities for Meeting Continuing Health Care Needs", was put out. The connection between that and the report before us today is that the report builds on a basic principle that the Government are still intent on pursuing—that of means testing.

The Chancellor fiddled with the means testing requirement in the Budget. He thought that he was improving the position so that—rightly, in my view, if one accepts the principle of means testing—people who had a certain amount of capital were able to retain that capital at a higher level than hitherto. None the less, the principle that people who have paid national insurance contributions through their lifetime to ensure that they would not have to dip into their savings in old age is still Government policy and is still contained in the report.

The 1992 order brought nursing homes into the remit of the National Assistance Act 1948. The residential home sector was already covered by that Act, but the private nursing home sector was brought into the same category. The 1995 Welsh Office circular amended the 1991 Welsh Office circular. I remind Ministers, not that they need reminding, of the charade and masquerade—I do not like using those words too often—and the difficulty that the Government put professionals into by that circular.

I am the Chairman of the Select Committee on Welsh Affairs and we considered this topic in 1992. On 5 February 1995 I asked a senior officer of the Gwynedd social services department, Mr. Williams, whether the Welsh Office was making the job of professionals impossible through the means testing system, and he agreed. In column 159 of the minutes of evidence, he said:

"I quite agree with the sentiments you are expressing. What we have to look at is the pressures on those people in those circumstances, and they are quite appalling. Sometimes it is a kind of social conspiracy, almost, involving a number of people, quite unconsciously, to achieve certain tidy outcomes, which is residential nursing home care."

A tidy outcome is residential nursing home care.

The clear point was that there were two types of people being discharged from hospital to private nursing homes, and that is relevant to the report that we are discussing today. There were the people who knew their rights and who refused to be means tested under the 1991 Welsh Office circular: they said that they would stay unless they were forced to leave. Then there were the others—the majority—who did not have that circular to hand in their hospital beds and who were discharged to a private nursing home under the guise that they had to be means-tested.

Some people knew their rights—they knew that the health authority would have to pay for them to be in a private nursing home if they were discharged—but most people were told a different story by the professionals, who were under enormous pressure in the acute sector to discharge people under an almost false pretence that the law was on the side of the professionals. That is what is behind Mr. Williams' point.

Mr. Rhodri Morgan (Cardiff, West): Has my hon. Friend seen the latest statistics—I believe that they date from December 1994, certainly no later than that—which show that only 45 people in private nursing homes in Wales are paid for by the health authorities? That is about 0.3 per cent. of people in nursing homes in Wales.

Mr. Wardell: I am grateful to my hon. Friend, and I am aware of those statistics.

The reluctance of many health authorities in Wales to pay for anyone to be in a private nursing home is shown up clearly in those statistics. I am glad that the Government have addressed that issue. In other words, they eventually—four years later—decided that the situation was not acceptable. They were content to leave that situation for that length of time. They were quick enough to rush legislation through the House yesterday, but they were not prepared to do the same for elderly and vulnerable people. However, I am glad that the Government eventually—slowly, but surely—saw the light.

I am pleased that the change has come about, but the report rests on an important circular, to which I have already referred. It was issued in 1995 by the Welsh Office and amended the circular of 1991. My personal view is that government by circular is not very satisfactory. I am uncomfortable with the way in which circulars are churned out by Government Departments. Nevertheless, the circular on which the report rests is about the discharge of people from hospitals. I hope that the Minister will be able to reassure me about the current practice in relation to paragraph 25 of that circular.

The report before us today assumes that money will be made available to enable implementation of that paragraph of the circular, which contains four pieces of information that hospitals should make available to patients before discharge. The Welsh Office relies on a manual on hospital discharge practice issued in December 1994, which is the latest in a series of hospital discharge workbooks.

What does the Minister intend to do about information that is clearly not being provided under the terms of the circular? It is the responsibility of the Secretary of State to ensure that the structure and operation of the health service is satisfactory. When it is not, what will be done? I shall not read all four of the relevant paragraphs, but perhaps the Minister can deal with them comprehensively. I am sure that he has the circular in front of him, or soon will have.

It states:

"hospitals should provide simple written information about how hospital discharge procedures will operate and what will happen if patients need continuing care".

When I visited a hospital recently, I could have caused a major upheaval because I went from bed to bed asking patients who were about to be discharged whether they had received that information. I had the circular in my pocket. The hospital staff looked at me rather charily, wondering what I was doing.

What has the Minister been doing to check that patients who are being discharged are given the relevant information? My guess is that not many patients receive it. I make the same point as in relation to the discharge of means-tested patients between 1991 and 1995: what is the use of a finance order which changes the method of means testing patients who are being discharged if the circular on which the order is based does not do what it should?

The Parliamentary Under-Secretary of State for Wales (Mr. Rod Richards): To save the hon. Gentleman time, if he will write to me about the particular hospital

[Mr. Rod Richards]

that he visited, which did not seem to be complying with any instructions or guidance from my Department, I shall be more than happy to look into the matter.

Mr. Wardell: I should be more interested if the Minister would write and tell me—or tell the House now—what powers he has to ensure adherence to the guidance. What can he do?

The order may extend and continue, rather than address, the anomaly that, if a person who is to be discharged from hospital to a private nursing home returns to his or her own home, the capital value of that individual's property would not be taken into account at £16,000 or any other level by the local authority in assessing the charges to be levied against that person. I am worried that the Government may seek to correct that anomaly by including the capital value in that calculation, which I would not want them to do.

My third point—I shall not continue the debate until 10 o'clock, although I do not often have the opportunity—

Madam Deputy Speaker: Order. That will not be possible.

Mr. Morgan: That was my fault.

Mr. Wardell: I was informed by a Front-Bench Member that the debate could continue until 10 o'clock, Madam Deputy Speaker, so I am glad that you have made that point.

Mr. Jeremy Corbyn (Islington, North): The debate can continue until 9.26 pm.

Mr. Wardell: Yes, and I must remember that we have yet to hear the winding-up speeches.

We see in the current system a division of boundaries, whereby private nursing home patients fall into two categories—and those who are not subject to means testing, which the order continues, may be in the same room as those who are. A line is drawn according to whether an individual is to be a social care or a medical care case. I shall not debate the subject of incontinence pads because the Minister must be fed up with the problem of who pays for them.

The hospital doctor and the multi-disciplinary team considering the patient who is to be discharged will have to decide his or her future. Whatever their decision, if no long-term beds are available in the hospital service, the individual who is paid for by the health authority will be placed in a private nursing home. Some patients pay for themselves, whatever the capital limits, and some do not. The order builds on that divisive situation.

Although I am pleased in one sense that the Government have at last ended the anomaly introduced by the 1991 Welsh Office circular, even though it has taken them four years to learn the folly of their ways, I remain concerned that, despite the new capital limits, we are left with a means-tested system which does not make universal provision but is divisive and leads to some patients in the same institution being means-tested while others are not.

I thank you, Madam Deputy Speaker, for your indulgence.

8.56 pm

Mr. Rhodri Morgan (Cardiff, West): This is almost the last debate of this part of the current Session, and I suppose that Oscar Wilde might have said that nothing recedes like the recess for those of us who are left here this Wednesday night.

The change in the capital disregards that created the need for the order are part of the Government's two-pronged approach to ease the problem facing people with reasonable means who—because they scrimped and saved to purchase their homes, buy shares or acquire pension entitlements—fail the means test. The Prime Minister has made a big fuss in speeches over the past year or two, and as recently as last Friday, of using a phrase about wealth cascading down through the generations.

The problem is that wealth has not been cascading down the generations. This measure and others that we expect later this year are an attempt to make the Prime Minister's idealised version of the country which he is running appear to come true. I understand that about 40,000 people a year who have failed a means test for community care eventually have to sell their houses. One of the favourite phrases of the last Prime Minister was "a property-owning democracy". For many elderly people, this is a property-disowning democracy for those who require a long spell of care.

The Government have set about trying to remedy the problem created by their changes to the structure of the NHS and local authority social services provision. The problem for them is that their rhetoric has gone one way and their policy actions another, causing many people to sell their houses so as to stay in nursing homes and old people's homes. I hope that the Minister will shortly be able to confirm my figure of 40,000 houses a year having to be sold to enable people to have long-term care, and will tell us by how much he expects the figure to fall as a result of the change to the capital disregard.

My figures do not come from the Government—

Mr. Streeter: Ah!

Mr. Morgan: The Government Whip need not get so excited. I make no apology for taking my figures from Laing and Buisson, commonly regarded as the bible on all matters relating to long-term care. The figure was given in recent evidence to the Health Select Committee, but if it is wrong I am happy to be corrected. The important thing is to find out how many fewer houses will have to be sold to allow for nursing home care as a result of this measure.

I wonder whether the Government will be able to put some more flesh on the speech made by the Prime Minister on Friday, to cover the other aspect of the Government's two-pronged approach. The Government want to introduce a partnership insurance scheme under which they will pay for long-term care after the first three years provided that people buy insurance for those first three years. Will that have a direct impact on the fear that old people have that they may not in the end be able to pass on their houses to relatives because they will have to trade their houses in for long-term care?

This debate also enables us to touch on other significant changes going on simultaneously. The change we are discussing tonight will take effect from Easter Monday, but on 1 April three other changes in related areas took effect. I hope that you will agree, Madam Deputy Speaker, that I would be in order if I mentioned them.

The first change concerns the new statutory right of a carer to have his or her needs assessed by local authorities. Thus local authorities will become instrumental in determining whether people need to go into old people's homes; if they decide that they do, the means-testing operation will be triggered. That in turn will depend on whether a carer at home can last out without becoming ill from strain and stress. That again depends on whether enough respite care is available—usually from a son, daughter or spouse. This change may also have a bearing on the number of people affected by the order.

The second change dating from 1 April concerns the new health authorities and local authorities in England and Wales. In Wales until 1 April, county council social service departments and health authorities had more or less identical boundaries, so there was a natural tendency to co-operate and work together. Pembrokeshire was the one exception, but that did not cause much difficulty, because it remained a subdivision of a social services authority.

During the coming year, the Minister will need to ensure that the former tendency towards co-operative working arrangements between health authorities and social service departments—in respect of hospital discharge, for instance—is not dissipated. Instead of eight or nine health authorities and social service authorities in Wales, there will now be five and 22 respectively. The Minister will need to monitor the situation over the next 12 months to be sure that the system does not start falling apart.

My hon. Friend the Member for Gower (Mr. Wardell) raised another important issue relating to the changes which were made recently, and which are still being digested. They are significant to the order. The orders for England and Wales refer to the fact that they are based on the provisions that have been around since 1948 under which one can means-test anyone who goes to a nursing home or old people's home.

The point raised by my hon. Friend is significant because, until a few months ago, one did not have to go into a nursing home or an old people's home. If a person wanted to remain in a long-stay bed in the geriatric ward of his local hospital, he could insist on doing so. A person may believe that that choice will cost him a fortune and that he may have to sell his house to fund it, but he would be perfectly within his rights to insist on a bed.

That voluntary principle has now gone. The change does not equal continuity with the previous provisions. What was voluntary is now compulsory. If a health authority says that someone must go into a nursing home or an old people's home, it has the force of law behind it. Until the ombudsman's case—

Mr. Bowis *indicated dissent.*

Mr. Morgan: I sorry that I have to cross swords with the Minister, but he is wrong. Should he check before the Under-Secretary of State for Wales replies to the debate, he will find that my argument is not ill founded.

Mr. Gareth Wardell: The crucial point behind the remarks of my hon. Friend is that, if it was decided under the old system that existed until a few months ago that an elderly person needed to be discharged to a private nursing home, that person would now be asked whether he would prefer to be means-tested or not. If he said that he preferred not to be means-tested, the health authority would face the dilemma of either having to keep that person in a bed or paying for him to go to a nursing home.

Mr. Bowis *indicated dissent.*

Mr. Morgan: My hon. Friend is right, and I am pleased that he has clarified the matter for the Under-Secretary of State for Health, although I note that the hon. Gentleman is still shaking his head. I hope that the advice offered by the Welsh Office Minister will clarify the matter for the Minister responsible for England. I can only express a certain amount of gratitude for the fact that he is not responsible for Wales.

A level playing field must be established between domiciliary and residential care. That is at the heart of the debate. The orders for England and Wales apply only to people going into nursing homes or old people's homes. They do not apply, and do not increase the capital disregard for those who come out of hospital, or who have never been in hospital, who require domiciliary care. The orders do not have any effect on that care, except perhaps by moral suasion or implication, without any force of law.

The statute that we will pass just has an impact on people going into old people's homes and residential care homes. That poses a real problem for the Government, because true community care must involve the domiciliary care package. I would go further, because I believe that it must give preference to domiciliary care to be true community care.

The Government have always had the problem of not being sure whether nursing care homes, some of which often consist of 50 beds or perhaps 100 beds, or old people's homes are equivalent to community care. What is the difference between a cottage hospital, which is not considered to offer community care, and a large nursing home with 50 or 100 beds? The latter is considered to be equivalent to community care—search me why—and the other is considered as NHS institutional care. That distinction is rubbish.

The actual community care that we should provide is domiciliary care, yet the order does not refer to it. The least we could ask for is a level playing field. One may want to increase the capital disregards so that people do not have to sell their houses, or get rid of the savings that they might otherwise be able to pass on to their children, to fund long-term care in a nursing home or in an old people's home, but why on earth should not the same rules apply, with the same force of statute to raise the capital disregards, to domiciliary care packages? Let us at least have a level playing field. In my opinion we should go beyond that; domiciliary care should come first, because it represents true community care.

I hope that the Minister will address that problem. Perhaps he will give the Government's up-to-date thinking at this crucial stage, when they are devoting so much effort, as late as Friday, into trying to explain how wealth will still cascade down the generations in a way that is compatible with their thinking on community care. We want to know their thinking on such care.

Does it include domiciliary care in one's own home? Just as important as passing on one's home to a child or grandchild is the right to stay in that home until it is

[Mr. Morgan]

medically unavoidable that one has to have institutional care in, for example, an old people's home or a nursing home. We heard nothing about that from the Minister. He simply throws around the phrase "community care" but does not say why the measures that we are discussing avoid domiciliary care, which is where the interface exists between the NHS and social service departments.

There has been a major withdrawal by the NHS from long-term care provision and even from care in the community. District nurses no longer carry out such a wide range of functions as they used to. There is now an absurd distinction between social bathing, usually carried out by home carers, and medical bathing, which has to be done by district nurses. I am told that, at least for men, the distinction is based on whether the bathing includes bathing below the waist. If it does, it must be done by a district nurse.

A constituent of mine has severe leg ulcers. If they are suppurating, the dressings are changed by the district nurse; if they are merely quiescent, they are changed by the home carer. That would have been absurd five years ago, but the NHS no longer provides what used to be considered the proper caring component of the NHS district nursing function.

Why do the Government consider it wise for the NHS to withdraw from that sphere and leave it to the local authority when, at the same time, they are doing absolutely nothing to change the capital disregards for local authorities when they—the local authorities—come to decide whether they should be means-testing the person involved?

My hon. Friend the Member for Stockport (Ms Coffey) was right to say that there is no rhyme or reason in the Government's explanation of how they have calculated the amounts to be given to English and Welsh authorities. It is a wholly improper procedure. The purpose of the statute is to compensate local authorities for the income that they will lose because of their inability to means-test people with an income of less than £8,000 or less than £16,000.

The measure is meant to compensate them, but it will not, because the calculation is made on the original needs basis, which has nothing to do with the compensation requirement. Some authorities will gain and some will lose, but the outcome bears no relation to the intention behind the measures. Just as people were supposed to be checking what public expenditure was used for, these measures may finish up before the Public Accounts Committee as legislative absurdities. I hope that the Minister will deal with that point.

The point made by the hon. Member for Ynys Môn (Mr. Jones) was also well taken. In some areas there are many private nursing homes, but in others there are not. That is a big problem. I have already referred to the important point made by my hon. Friend the Member for Gower.

On the same day the Government laid the English and Welsh orders, the Treasury Select Committee had asked the Government whether it was true that the Government had not properly estimated the additional expenses faced by local authorities. It had been estimated that the cost of changing the capital disregard would be £60 million. The Committee said that it thought that the Government had underestimated the amount. The Treasury wrote back to the Committee in January, saying that there was no problem and that local authority social service departments would be able to act as "gatekeepers". The Committee replied that it did not think that that was the case and asked the Government to check with local authorities and talk to social workers.

The ultimate humiliation for a Government who sometimes pride themselves on being careful with public expenditure occurred on 18 March when—*[Interruption.]* Before the Under-Secretary of State for Wales cheers, perhaps he had better listen to what the Treasury said to the Treasury Select Committee, on the same day that the orders were laid, and on this very subject.

Paragraph 51 of the Government's response to the Treasury Committee's report on this year's Budget states:

"The Government has now consulted with the local authorities and has listened to their views on the net increase in costs they face as a result of the increase in the disregard levels. In light of further evaluation of the information provided by the local authorities, the Government has decided, subject to Parliamentary approval, to make an increased provision available to local authorities. This provision will be charged to the Reserve, and will not therefore add to the planned total of public expenditure in 1996-97."

What we are doing tonight is not the full story. At a later date the Government will have to come back with a different figure, and apologise to the House for having got their figures wrong in the first place. Why did they get their figures wrong in the first place? Because, as always, they did not ask the people who would be affected. They did not ask the local authorities what figure they would face as a result of the change in the capital disregard.

The Government have had to apologise to the Treasury Select Committee. I hope that, as a representative of a Government who clearly cannot count because they do not consult, the Minister will now apologise to the House.

9.15 pm

The Parliamentary Under-Secretary of State for Wales (Mr. Rod Richards): When I faced the hon. Member for Cardiff, West (Mr. Morgan) across the Dispatch Box yesterday in connection with a different matter, I hoped that I would not have to see him again before Easter. Sadly, however, that was not to be.

As usual, Opposition Members have found little positive to say, but the plain fact is that our community care reforms are working. It was clear from the speech of the hon. Member for Darlington (Mr. Milburn) that he does not appreciate that the policy must be planned over 10 years before its full fruition: we are not even a third of the way through that process. More people are being cared for in their own homes or in homely residential care in their local communities, and they have more choice about how they receive the care that they need. That is what people want, and that is what our policies are delivering for them.

Let me deal with some of the serious points raised by Opposition Members. The hon. Member for Ynys Môn (Mr. Jones) said that the capital limit special grant in Wales was underfunded, and that he had spoken to some county councils in Wales. We also asked councils to give us their estimates of the costs that they would face, and they came up with a figure of roughly £3 million. In fact, we are providing £3.88 million, which is more than they asked for.

Before the hon. Gentleman suggests that our method of calculation underestimated future demand for places, let me tell him that we considered not only the current

number of people in care but the potential increase for most people who would now find it a more attractive option, because they would not have to contribute. I hope that that sets his mind at rest.

The hon. Gentleman asked about additional mid-year funding. We shall look at the outcome at the end of this year, and if there are lessons to be learned, we shall consider the funds that we shall provide in 1997-98.

The hon. Member for Stockport (Ms Coffey)—who seems to have lost interest in the debate for the moment—was rather critical of the formula on the basis of which her authority claimed to have been disadvantaged. As she will know, Stockport is a member of the Association of Metropolitan Authorities, and the formula that was used was recommended by the association. She will not need me to tell her that it is controlled by her party. I suggest with respect, therefore, that she write to her representatives on the authority and complain as bitterly to them as she did to the Government earlier.

With regard to resources for her authority, between 1990-91 and 1996-97, total personal social service resources for Stockport have increased by 58 per cent. in real terms. In the past year, total resources for community care have increased by 10 per cent.—the same as elsewhere in England, so her authority has not been disadvantaged.

The hon. Member for Gower (Mr. Wardell) was, as usual, meticulous in his approach. He told us the touching story of his visiting hospitals to ask patients questions, but the first question that he should have asked—and I am sure I know what the answer would have been, almost universally—was whether they wanted to leave hospital. The vast majority of people in hospital want to go home or just to get out. If he knows of anyone who would prefer to be in hospital than to go home, I should like to know who it is and what the circumstances are.

The hon. Gentleman talked about people staying in hospital indefinitely—these mythical people who might choose to stay there. He must know that no one has ever had the right to stay in hospital indefinitely. He will have read and understood the 1995 guidance on national health service responsibilities for long-term care. It is not a change in policy, as he implied.

We have confirmed and clarified the health service's responsibilities for meeting the needs of people with continuing health care needs, whether in hospital, in the community or in other settings. From 1 April, health authorities have been required to publish policies and eligibility criteria, which make clear their commitment and the basis on which decisions in individual cases are taken.

Mr. Gareth Wardell: Will the Minister give way?

Mr. Richards: With respect, I have only a few minutes left and I want to cover many more points.

The hon. Gentleman asked me sincerely what I would do if hospitals did not provide the information that they should be providing. Clearly, my officials and I will consider and monitor that closely. He asked about the difference in assessing short-stay and long-stay residents. Local authorities can use the same financial assessment and capital limits for both, but anyone who stays less than eight weeks does not have to be assessed. The local authority can set what one might describe as a reasonable charge.

The Department of Social Security will be using two sets of limits. People who go into residential care for only short periods will not be reassessed for income support based on the higher capital limits. It would be disruptive to reassess them for income support at such frequent intervals. The hon. Gentleman raised some more points, on which I will write to him, but I must deal with other points.

The hon. Member for Cardiff, West raised the issue of 40,000 houses sold per year. I do not know where he got that figure from. I am not aware that it is a Government figure. I should like to know where he got it from to find out whether we can attach any credence it.

The hon. Member for Darlington did not, of course, raise the issue of funding, although he came up with a four-point plan and talked about planning, revaluation and changes after only three years. I know that, by diktat of the Leader of the Opposition, he is not allowed to do that, but the British people are entitled to know what budgetary or financial resource changes would be implied were there to be a Labour Government.

We are committed to ensuring choice in community care. Choice underpins our reforms. We do not mean choice at any price. Public funds are limited and choice must be balanced against cost. But we do mean people having a real say in where they receive the care that they need. The direction on choice was introduced specifically to give people that say. Local authorities need to take that carefully into account when they plan their use of their community care budgets.

If any individual is not satisfied with his or her care arrangements, he or she has, of course, the right to take that up through the complaints procedure. We have made it clear to authorities that we expect them to have complaints procedures which people know about and which are easy to use.

Community care is all about individuals. It is about making sure that individuals receive the care and support that they need. But it is also about making sure that people who need community care and their carers are involved more widely in helping to shape the services provided to their communities.

Mr. Morgan: Will the Minister give way?

Mr. Richards: No, I shall not give way to the hon. Gentleman.

I am very pleased that we have been able to provide the extra help with regard to capital disregard for people in residential and nursing homes. We know that it has been widely welcomed. We have two aims—to help people who have worked hard and saved prudently, and to avoid putting too heavy a burden on taxpayers. The new limits strike the right balance.

The resources—

It being one and a half hours after the commencement of proceedings on the motion, MADAM DEPUTY SPEAKER *put the Question, pursuant to Order [29 March].*

Question agreed to.

Resolved,

That the Special Grant Report (No. 17) (House of Commons Paper No. 299), which was laid before this House on 18th March, be approved.

MADAM DEPUTY SPEAKER *then put the remaining Question required to be put at that hour.*

Resolved,

That the Special Grant Report (Wales) 1996 (House of Commons Paper No. 297), which was laid before this House on 18th March, be approved.—[*Mr. Ottaway.*]

Antarctica

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Ottaway.]*

9.26 pm

Mr. Jeremy Corbyn (Islington, North): I am very pleased to have another debate on Government policy towards Antarctica. I am grateful that it is at a reasonable hour because, on other occasions, such debates have taken place in the middle of the night. I have a personal fascination for the subject and that is why I have applied for previous Adjournment debates on it.

There have been two recent pieces of legislation on Antarctica. The first was the Antarctic Minerals Act 1989, which was strongly opposed by the Opposition because it envisaged the possibility of mineral exploration in Antarctica for commercial gain, which was completely at variance with the earlier 1959 treaty. I am glad to say that that legislation has now been superseded by the Antarctic Act 1994, which gives effect to the environmental protocol signed in Madrid in 1991. That was an enormous step forward.

Many people might ask why the House of Commons is debating Antarctica and what relevance it has to the everyday lives of ordinary people. I can understand why people might ask that question, but the answer is simple. We can study in Antarctica a continent in more or less its pristine beauty. We can also study at first hand the effects of gross exploitation of, in particular, the fauna of the continent and the seas around it, and the destruction of the large whale population within the area, a destruction that has meant that now only the Minke whales have a population of anything like the natural size of 100 years ago. Every other species of whale is grossly threatened. In some cases, the numbers surviving are so small that it is difficult to see how they can breed successfully in the future without developing genetic disorders.

In the past, the area has been over-fished. That is now more or less under control, but the vast amount of krill that have been taken out of Antarctica is a cause for concern because that has a knock-on effect on the natural life cycle of so many other mammals and fish within the seas around Antarctica.

Aside from the carnage of the whale population and the destruction of so many beautiful mammals, Antarctica has been a place of inspiration to many people, not only scientific explorers. The wonderful poem "The Ancient Mariner" is about a journey to the Antarctic, and is a description of the beauties of the southern ocean.

My purpose in this debate is to recognise what has gone before. Even at the height of the cold war, during the 1957 International Geophysical Year, countries were able to get together and consider ways of protecting and preserving Antarctica as a place of beauty and peace. In 1959, the treaty was signed at Washington. The document is held by the United States Government in Washington, as host to the signatories. It is still a relevant document which protects the continent in its natural form and beauty from war and military presence. That was an enormous step forward.

Moves were made by a number of people who had an eye, albeit recognising the enormous technical difficulties, to the possibilities of exploitation of minerals in Antarctica. There are possibly vast mineral resources

there. That was what was behind the Antarctic Minerals Act 1989 and the interests of a number of international mining and oil companies. We have to recognise that public opinion and the campaigns around the world in favour of an Antarctic world park have had considerable impact. A number of Governments—perhaps surprising Governments in some cases—supported the concept of a world park and a place of preservation and peace.

The Madrid protocol was finally agreed in 1991. There was a great deal in it. I shall not quote it all, but I should like to mention a few points from it. Crucially, it said that there should be a moratorium on all mining or mineral exploration activities for at least 50 years. It is not a 50-year moratorium. It is 50 years in its initial stage. I would not want any long-sighted executives of oil or mining companies to be salivating in offices at the thought of mining exploration in 50 years. I hope that there will never be any mining exploration in the Antarctic, and the environmental protocol looked to that.

The protocol also confirmed the permanent protection of the environment and flora and fauna of the continent. That is important. Many people believe that Antarctica is a huge wilderness, and therefore that there is no great threat to it, but it has a delicate ecosystem. It is not a place of high precipitation—indeed, there is very little. There is a great deal of snow and ice blowing about and there are enormous ranges of temperatures and desperate cold, but it is a fragile ecosystem.

As it is so cold most of the time, the speed of biodegradability is slow, so environmental damage from oil spills or pollution of any sort takes far longer to be corrected by any natural process than it would in a tropical, sub-tropical or temperate climate such as we live in. An important part of the protocol established the principle of environmental impact assessment of all visits to the Antarctic by anyone—scientific researchers, tourists or whoever else.

Greenpeace has done a great deal of work on the Antarctic and has campaigned vigorously. Greenpeace International should be commended for the work that it has done internationally. Its Antarctic campaigner, Iain Redditch, who is based in Amsterdam, should be congratulated on the work that he has done to persuade so many Governments to speed up the ratification process.

In 1994-95, the Greenpeace ship toured several Antarctic bases—not by any means in a spirit of hostility. It gave due notice to the bases' occupants and sought to examine what was happening, to check the effects of the 1991 environmental protocol and to discover what the bases were doing to clean up their act. It visited eight stations, which were staffed by people from Brazil, Poland, Peru, South Korea, Argentina, Chile, China and Russia. Argentina and Chile staffed two bases each. Greenpeace would have liked to visit more bases, but the process takes time and the journey is difficult.

The Greenpeace report said:

"Overall, Greenpeace found that over three years after the signing of the Madrid Protocol on Environmental Protection, countries with Antarctic bases are continuing to violate the Madrid Protocol's provisions, and many working on the continent are unaware of the Madrid Protocol's requirements."

It was especially scathing about the conditions at the Chinese station, where a large amount of rubbish had been dumped and which was causing environmental damage. It is important that we recognise the importance of having environmental impact assessments and continuing inspection and monitoring of what happens at the bases.

If we are to achieve the intended effect of the 1959 treaty and of the 1991 Madrid protocol, the question of ratification of the treaty is important. There are 26 signatory nations to the treaty. They are "consultative parties" in the wording of the treaty and 20 have ratified the Madrid protocol, including Britain. There are six still to go. Four of them look as though they will ratify in the near future with no great problem envisaged.

The greatest delay involves Russia and Japan. I would be grateful if the Minister could say what pressures the Foreign Office and British diplomats in those countries are applying to make it clear that the House has passed the Antarctic Act 1994. We have ratified the treaty and want it to be ratified by all the nations concerned. Once 24 nations have ratified it, I should have thought that the idea that Russia and Japan are the slowest would embarrass them. I should like to hear that the British Government will do their utmost to encourage them not to be way behind everyone else in ratifying.

The Russian political system is in turmoil and there is uncertainty about what will happen there. In Japan, there is a problem that is not linked to the Antarctic treaty—its predilection for defying the International Whaling Commission by continuing its so-called scientific whaling of Minke whales. It took 300 from Antarctic waters in the past year. There is an erroneous linkage of the two issues. The environmental protection of the Antarctic stands alone, and it is vital that Japan ratifies the treaty.

My second main question involves the establishment of the secretariat envisaged in the 1991 Madrid protocol. It is essential that a secretariat for the Antarctic should be set up so that there is a central point of contact for discussion, for environmental impact assessment studies to be lodged and for monitoring the future of the Antarctic and the growing number of people who seek to visit it, and the possible dangers that go with that. That is no minor point. It is important that we get the secretariat up and running as soon as possible.

I should not have thought that the issue of where the secretariat is to be sited would be greatly controversial, but it appears to have become so. Many treaty nations feel that it should be sited in a gateway nation to the Antarctic. The gateway nations are Chile, Argentina, South Africa, Australia and New Zealand. There is a considerable head of steam among the majority of treaty nations to site the secretariat in Argentina. Unfortunately, I understand from previous parliamentary answers that I have received from the Minister that the British Government are not disposed towards it being sited there because they do not want it sited in a country that has conflicting pre-1959 claims to Antarctic lands.

As the claims are held in abeyance for the duration of the treaty and the protocols following on from it, the conflicting claims are somewhat academic in many ways. Exactly the same argument about conflicting claims could apply to most other signatory nations. Argentina has not opposed the convention on the preservation of marine life in the Antarctic being based in Australia. So I hope that the British Government will accept that it is important to get the secretariat up and running, and that a majority of treaty nations support it being sited in Argentina.

During a recent visit to this country of the Argentine Foreign Minister, I took part in one of the discussions with him and mentioned the issue. I understand that,

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at a later meeting with the Secretary of State for Foreign and Commonwealth Affairs, the establishment of the secretariat was discussed with the Argentine Foreign Minister. I would be obliged if the Minister could tell us exactly what went on at those discussions. Should President Menem of Argentina visit this country, that would presumably be one of the issues that would be discussed with him. It is important that we have a sensible relationship with Argentina. It is not particularly helpful if we adopt a dog-in-the-manger attitude towards the location of the secretariat.

British standing on the Antarctic is good. The British Antarctic Survey has conducted high-quality scientific and biological research in the area for many years. It has produced high-quality reports and has a very high standing indeed. The work done there by Joe Farman and others in discovering the hole in the ozone layer over the Antarctic has worldwide implications.

However, British standing has been diminished by the Government's attitude to the location of the secretariat. I hope that the Minister will recognise that the British Government can do quite a lot in that area to ensure that the secretariat is established and up and running as soon as possible. It is some years since the Madrid protocol and the Antarctic Act. It is time that we moved on and got the secretariat working.

Thirdly, article 16 of the protocol, on liability for damage and destruction that happens in Antarctica, has been under discussion for about four years. I well remember that, when the Antarctic Bill was being pushed through the House by the right hon. Member for Westmorland and Lonsdale (Mr. Jopling)—as a private Member's Bill with Government support—liability for damage and destruction was debated extensively in the Standing Committee. We discussed whether an expedition's individual members were responsible for any damage, or whether it should be the host country of the expedition. We also discussed what should happen if a ship sank or an aircraft crashed in the Antarctic.

The question of liability has to be sorted out. The growth of tourism in the area has been considerable. Until a secretariat is established and we have total adherence to the guidelines on Antarctic tourism and non-governmental organisation activities adopted in Seoul, Korea in April 1994, the dangers of damage to the environment and the need to clean it up are considerable. I would be grateful if the Minister could let me know what is being done on that question and how it will be sorted out.

In four years of informal meetings, why have non-governmental organisations been continually excluded from the discussions, when they have shown that they have an enormous and responsible interest in the Antarctic and much expertise to contribute to the discussions?

My fourth question for the Minister concerns the future of the Faraday base, which was one of the bases owned and run by the British Antarctic Survey. It was due to be closed and demolished and the equipment brought back to this country. Instead, there was an agreement to transfer the base and its equipment to the Government of the Ukraine, which was a major contributor to the former Soviet Union's scientific efforts in Antarctica. They felt that it would be useful to have a base—and they have now got the base, which is a good thing.

The Ukraine agreed to continue to produce the meteorological information that had been collected at the base—it will be handed over to the British Antarctic Survey. I trust that—like all scientific information collected in Antarctica—there will be the normal degree of transparency and there will be a widespread publication of the results. It is good that the Government of the Ukraine have the base and that it is working.

However, the Ukraine has serious problems in relation to Government resources and spending. The base would have had to have been upgraded considerably had the British Antarctic Survey kept it. Is Britain using its expertise and assisting in ensuring that the base is upgraded so that waste disposal systems, fuel systems and energy systems are the best and the safest, and cause the least possible environmental damage? Those issues are extremely important in such a fragile ecosystem.

Antarctica is a beautiful place, but it is also a great weather vane and a source of great information that is of value to the rest of the world. Earlier, I mentioned the work done by Farman and others at the British Antarctic Survey in discovering the hole in the ozone layer. Had the British Antarctic Survey not been doing that work and had other scientists not been doing work on air pollution and sunlight within the Antarctic, we may not have known the disastrous effects of chlorofluorocarbons within our atmosphere and of the continual chemical process that is set off in the upper atmosphere by the release of chlorine gas.

However, we would have known about the growth of skin cancers in the southern continents—in Chile, in Argentina, and in Australia in particular. We are now finding out the effects of ozone depletion in the northern hemisphere. That had the knock-on effect of the Montreal protocol on the phasing out of CFCs. I wish it was being done more quickly and that it had been done immediately, but at least the information was there in the first place. Perhaps the world woke up and recognised that there were limits to the amount of pollution that it can put into the atmosphere.

One can drill into the Antarctic ice, take out an ice core and measure what the exact state of the world's atmosphere was like at the time of the Romans, at the time of Christ and at the time of the Norman conquests. One can measure exactly what the air was like, one can see the differing levels of oxygen and carbon dioxide in the atmosphere, one can see the differing levels of pollution, and one can see the effects and dangers of global warming. It is important that we are able to do that. I refer also to the current process of melting off parts of the Antarctic ice cover—all sorts of things can be measured.

It is important that we recognise that Antarctica is a place for the whole world; that it is a place of international importance and heritage. We would not have got this far if people had not wanted to undertake scientific research there. Above all, people have not said that this is a place that we can exploit and destroy—instead, they have said that this is a place that we want to protect in all its beauty and learn lessons from. Many environmental groups, particularly Greenpeace International, have campaigned on behalf of the Antarctic. That has been a welcome and an enormous contribution.

I hope that the Minister will tell us that he is pleased with the progress that has been made in the passage of the Antarctic Act 1994 through the House. I hope that he will do everything that he can to ensure further ratification of the treaty and the establishment of the secretariat, which is very much part of the treaty, and of the environmental protocol that goes with it.

I hope that the Minister will give us some hope that the British Government will not be the last in the line in this but, instead, will be a mover and a shaker. I hope that he is able to assure us that all the campaigning that achieved the Madrid protocol and a change in attitude towards the Antarctic will get the secretariat established and will ensure that environmental impact statements are done thoroughly and that Antarctica is properly protected, as it has to be.

9.50 pm

The Minister of State, Foreign and Commonwealth Office (Sir Nicholas Bonsor): I am grateful to the hon. Member for Islington, North (Mr. Corbyn) for securing the Adjournment debate, for two reasons. First, he is raising once again the extremely important issue of Antarctica. The hon. Gentleman has said that he has a personal fascination for it. I am aware that, both in 1991 and in 1994, Adjournment debates along the same lines as this evening's debate were conducted. It is useful that we have the opportunity for periodic updates as the situation in the Antarctic moves on, quite rapidly. Secondly, I am grateful to the hon. Gentleman for giving me the opportunity of having the last word in the House before the Easter recess. It is an unusual privilege and one that I enjoy, but I hope that I do not have it too often.

I largely share the hon. Gentleman's interest in and fascination for what goes on in the Antarctic. Although, as part of my remit, I have not yet had a chance to get down to the Antarctic, a month ago I visited the British Antarctic Survey and Scott Polar Research Institute in Cambridge. I had the opportunity to hear at first hand of the work of our scientists in Antarctica. I was greatly impressed by what I heard and I whole-heartedly endorse what the hon. Gentleman said about the importance of their work, the vital need for humanity to understand what is happening and the value of the research that is being done in trying to alert us to possible future danger.

We as a country are a major player in the Antarctic treaty system. Our long-standing presence in Antarctica is provided by a programme of first-class scientific research, which is the envy of most of our Antarctic treaty partners. We are committed to environmental protection in Antarctica. It is our policy to maintain that position and to maintain our lead.

I shall take up the detail of some of the issues raised by the hon. Gentleman and try to deal with them. First, there is the implementation of the environmental protocol. The United Kingdom ratified the protocol in April 1995. We have already actively implemented all its provisions. We were in the vanguard of treaty partners in introducing domestic enabling legislation. The Antarctic Regulations 1995 are now fully in force, as is much of the Antarctic Act 1994. Steps are in hand to bring the remaining sections into force as soon as possible, and I trust before the next austral season. The legislation provides a tough framework within which to meet our obligations under the protocol.

United Kingdom activities in Antarctica will take due account of the need to minimise environmental damage. The protocol cannot enter into force, however, until it is ratified by all 26 consultative parties. As the hon. Gentleman said, only 20 have done so far. We shall continue to press the others to join us in ratifying the protocol.

The six remaining parties are Belgium, Finland, India, Japan, Russia and the United States. They will be pressed to ratify during the forthcoming treaty consultative meeting. The most likely forecast, unfortunately, is that that will not happen overnight. We very much hope, however, that the protocol will come into force within the next two years. We look forward to that time in eager anticipation.

The United Kingdom's main operator in Antarctica, the British Antarctic Survey, has already introduced measures and procedures to address the protocol.

Mr. Corbyn: What signs has the Minister received from the Japanese Government, and the Japanese Parliament especially, of the likelihood of early consideration of ratification of the treaty? It is my understanding that the Japanese response is likely to be the greatest stumbling block. The other five nations, while late and slow, are likely, it seems, to endorse the protocol.

Sir Nicholas Bonsor: I agree with the hon. Gentleman's assessment. I think that the Japanese are the most difficult to persuade. We are engaged in substantial dialogue with them. We are examining the issues in detail. I hope that they will be persuaded to ratify the protocol. I cannot give the hon. Gentleman an assurance that we shall win the argument, but we will try our hardest to do so.

The environmental impact assessment of major proposed developments has been carried out and tough waste management procedures have been introduced. When I was in Cambridge I saw how effectively we are implementing those procedures, which include retrograding waste materials out of Antarctica. To put that into usual English, we are taking all waste away with us.

Abandoned United Kingdom bases have been surveyed and cleaned up—I saw pictures of what has been done and it is extremely impressive—including a major renovation in the past field season of the designated historic site of Port Lockroy, a United Kingdom presence in Antarctica dating back to the early 1940s. In addition, the British Antarctic Survey has produced a waste management audit, oil spill contingency plans for its bases and ships, and new management plans for protected sites. A number of United Kingdom initiatives have been used as model examples by other Antarctic treaty parties. We remain at the forefront of developing new ideas for environmental protection.

The hon. Gentleman raised the question of the Antarctic treaty secretariat. I agree that the establishment of a secretariat for the Antarctic treaty will be a major asset in the successful operation of the Antarctic treaty system. It will greatly enhance the implementation of the environmental protocol when it comes into force. Indeed, the United Kingdom has for many years urged that a secretariat be set up.

One of the most important criteria for hosting such a secretariat—which the hon. Gentleman identified in an Adjournment debate in July 1994—is the need for

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neutrality in terms of Antarctic claims. We do not see how a treaty party that has a territorial claim against another treaty party can meet that criterion. As the hon. Gentleman knows, Chile, Argentina and the United Kingdom share a claim for the same patch.

The Government believe that, out of the 26 signatories, it should be possible to find another site that would be uncontroversial where we could locate the secretariat. Unfortunately, that has not yet proved to be the case and I suggest that Argentina should make a concession and agree to a neutral site. I do not believe that the United Kingdom should make a concession to one of the parties that will ultimately test our claims in the Antarctic.

The forthcoming Antarctic treaty consultative meeting, which will be held in the Netherlands on 29 April for 12 days, will raise several issues. The first concerns the transitional environmental working group. It was established last year as the interim institution for the committee for environmental protection—a new body that will come into being when the protocol is in force. Unfortunately, the first meeting of the TEWG last year was not a resounding success.

At Utrecht, the United Kingdom will attempt to regalvanise the working group. We shall propose that it be given four or five key tasks to address and no more so that it may focus effectively on matters of prime importance. We shall also propose that the momentum continue between sessions through correspondence groups acting through nominated co-ordinators so that the impetus of progress is not lost.

The future success of the protocol depends in part on the effective operation of the committee for environmental protection, which, in turn, hinges on the transitional group getting off to a good start. We shall do all we can to assist that process.

Secondly, there is the question of the liability annexe—an issue raised specifically by the hon. Gentleman. The treaty parties are committed to negotiating a further annexe to the environmental protocol in order to address liability for environmental damage in Antarctica. We are actively engaged in that process. Liability regulations would act as a deterrent to environmental damage and would also help to achieve clean-up and restoration in the event of such damage occurring. It is vital that the liability regime should not only be legally competent but be designed to address the realities of Antarctica. Negotiations must engage not only lawyers, but those who are involved in Antarctica and who are aware of its special and harsh qualities and of the extreme difficulties of operating in that region.

A liability regime that did not take such factors into account would be unworkable. It could cost a huge amount of money, with no quantifiable environmental benefit. It could also prove damaging to our science programme in Antarctica, where resources would have to be deployed to meet an ill-designed liability regime. We believe, therefore, that it is important to get the basis of the regime right. We are not satisfied that we have currently reached that degree of consensus.

Mr. Corbyn: I understand what the Minister is saying. I am looking for some hope that after four years of informal discussion we are in a position to reach an agreement on a liability regime. In the meantime, people are travelling to the Antarctic and there is a danger of oil spills, ship wrecks and aircraft crashes, as have happened in the past. The longer we delay in setting up a liability regime, the greater the danger of pollution in the area.

Sir Nicholas Bonsor: All of us who are concerned about maintaining the ecological strength of the Antarctic would agree with the hon. Gentleman's assessment. I mentioned the subject when I visited the Antarctica survey team in Cambridge. We have not yet got to the stage of an enormous ecological liability threat, given the current amount of tourism and the amount of work being done in the Antarctic. We have a little time, but nobody should be complacent, and we must try to move forward as fast as possible.

It being Ten o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Ottaway.]*

Sir Nicholas Bonsor: The United Kingdom Government will make every effort to do so. However, it is never easy to obtain a consensus among 26 parties, as the hon. Gentleman knows.

Tourism is related to that point and continues to grow in Antarctica. Almost 10,000 tourists visited the continent in the past austral summer—most by ship-borne cruises. All the information that I have seen suggests that the tourists behaved well. Those who visited British bases looked after them well and complied with the strict terms we have laid down about going ashore and what they were allowed to do when ashore. We insist that any waste that the tourists may produce has to be removed with them.

Tourism is a legitimate activity in Antarctica and, as the hon. Gentleman recognised, that will be the reality in the future. We could not ban tourism in that part of the world, but—as the hon. Gentleman said tonight and in July 1994—it needs to be controlled. Adequate means to do so are available. It will require effective implementation of the protocol, not the imposition of yet more regulations. We have the framework, but we must ensure that the framework is properly enforced.

The UK will provide the latest update on tourism to the forthcoming Antarctic treaty consultative meeting. We were a major partner this past season to a US programme to identify wildlife sites of major importance to tourism. The results of that will also be presented at the Utrecht meeting.

We are also keen to promote port state jurisdiction to ensure that rigorous standards can be met by vessels and aircraft going to Antarctica. Most of those leave from the so-called gateway ports, which include Stanley in the Falkland Islands in our jurisdiction.

United Kingdom domestic legislation already incorporates the concept of port state jurisdiction. We see merit in extending that to wider Antarctic communities and enforcing it in that region. That would ensure that comparable standards between gateway ports are maintained. That issue will be explored further with our Antarctic treaty partners.

The hon. Gentleman specifically asked me about the transfer of the Faraday base to the Ukraine. On 6 February, the UK base of Faraday was formally transferred to the

Government of Ukraine. That followed detailed, lengthy negotiations, in which all the points that the hon. Gentleman raised were confronted.

In a spirit of scientific co-operation under the Antarctic treaty, the UK offered Faraday to the international Antarctic community. Ukraine responded favourably and Ukraine scientists were integral to the Antarctic programme of the former USSR. The transfer will enable them to re-establish their commitment to Antarctica. The transfer will also help to reduce the escalation of bases in Antarctica—a feature much criticised in the past by environmental groups.

Most important, Ukraine has agreed to continue the acquisition of long-standing scientific data sets. Data will be provided free to the UK and to relevant international bodies for at least the next 10 years.

Once Ukraine has consolidated its science programme at Faraday, now renamed Vernadsky, we look forward to it, in due course, applying for consultative status to the Antarctic treaty. We also look forward to Ukraine acceding to the environmental protocol. I am glad to be able to tell the House that in the interim Ukraine has made it clear that it will abide by the tough obligations of the protocol.

The transfer of Faraday is part of a major rationalisation of the BAS programme, a major objective of which is to strengthen the survey's science base in the British Antarctic territory by capitalising on the new infrastructure put in place by the Government since the mid-1980s. That has included the new purpose-built bases at Halley and Rothera; the expansion of the BAS fleet of aircraft, including the acquisition of a De Havilland Dash 7 to operate direct between Falklands and Rothera; and the launch of the survey's highly sophisticated research vessel, the RRS James Clark Ross. I have not seen the ship but have seen a model of her, and she looks an extremely exciting vessel.

The "Way Forward" programme, which attracted an additional £4 million in the 1993 public expenditure survey round, enabled new laboratory and accommodation facilities to be constructed at Signy in the south Orkneys and expansion of further laboratories at Rothera. That building programme is well on schedule. The transfer of terrestrial ecology and inshore marine biology to the new facilities at Rothera will offer major new scientific challenges.

Mr. Corbyn: There has been a large increase in the fur seal population on Signy. Is it affected by that development? If so, what is being done to protect the seals' ecosystem and stocks of food supplies?

Sir Nicholas Bonsor: I am not aware that the seal population has been affected, but I will check and write to the hon. Gentleman to confirm that opinion.

I refer next to South Georgia and the South Sandwich Islands and to the convention on the conservation of Antarctic marine living resources—which was not specifically raised by the hon. Member for Islington, North but is important in this context. I wrote to my hon. Friend for Uxbridge (Sir M. Shersby) on 22 March with a full explanation of our policy towards fishing around South Georgia. A copy of that letter has been placed in the Library. I am grateful for the additional opportunity to point out the steps that we have taken to ensure the conservation of fish stocks around South Georgia—something to which I attach particular importance, as I do to the conservation of all stocks in the Antarctic sea area. I know that sentiment is shared by the hon. Gentleman.

We are in no doubt about our sovereignty over South Georgia and the South Sandwich Islands, and hence our right to exercise coastal state jurisdiction around the islands. Fishing in sub-Antarctic waters, including the waters around South Georgia, is regulated by a multilateral treaty—the convention on the conservation of Antarctic marine living resources, or CCAMLR. The commission established by the convention adopts conservation measures binding on its member states, but the commission has no enforcement powers. It is left to flag states to ensure that their vessels comply with the conservation measures. The commission was established in 1980, but flag state enforcement of the conservation measures has been largely ineffective. Over-fishing continued throughout the 1980s and into the 1990s and was increasing.

Non-members of the convention are not bound by the conservation measures, but the convention recognises that parties to it with sovereign islands within its area of application may exercise coastal state jurisdiction in respect of those islands. Such jurisdiction may be exercised in respect of all vessels, including those of countries that are not parties to the convention.

In recognition of the continuing threat posed by over-fishing to the conservation of the fish stocks, a 200-nautical mile maritime zone was proclaimed in 1993 around South Georgia and the South Sandwich Islands. A fisheries ordinance was enacted, which provides for comprehensive regulation of fishing within the zone. Licences are required for fishing there. Licences are granted only in a manner consistent with the conservation measures adopted by the CCAMLR commission.

Mr. Corbyn: I mentioned the over-fishing of krill outside the designated 200-mile zone from South Georgia and the South Sandwich Islands. Will the Minister confirm that that issue can be raised at the Utrecht meeting, or that there could be a separate meeting? If over-fishing of krill continues, the effect on other marine live and mammals will be enormous, and could have an ecological effect as devastating as over-whaling in the past, which led to the moratorium.

Sir Nicholas Bonsor: I fully share the hon. Gentleman's concern about the over-fishing of krill. It is a critical part of the ecological chain. Over-fishing of krill could have a devastating knock-on effect. I cannot guarantee that this is part of the Utrecht discussion—I am not sure, but I will look into it and let the hon. Gentleman know. It is certainly a matter of primary concern to the UK Government, and we are in constant dialogue with other countries affected whose fishing fleets might threaten the ecological balance. I can therefore give the hon. Gentleman the categorical assurance that the Government take the issue extremely seriously.

Argentina asserts that our licensing regime is a new development that impinges on the fishing activities of Argentine-flagged vessels. The licensing regime operated by the Government of the territory has been no different this season from that in force in the previous two seasons. Since the introduction of the

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fisheries ordinance, all vessels have been required to obtain a licence before fishing in the waters around South Georgia. Unlicensed vessels are subject to arrest and prosecution.

This year it was apparent that a number of vessels, including several Argentine-flagged vessels, intended to target this limited fishery, and that this number was far greater than the total allowable catch could withstand. The projection was for a fishing pressure of about 40 vessels, targeting a 4,000 tonne TAC. There would have been three results: first, a rapid exhaustion of the allowable catch; secondly, an uneconomic take for the majority, if not all, of the vessels involved; and, thirdly, there would have been the inevitable risk of large-scale illegal fishing as vessels attempted to ensure viable, economic returns on their fishing efforts.

The South Georgia licensing regime does not preclude vessels from fishing unhindered outside of South Georgia waters. But with due regard to the TAC, and other conservation measures, the commissioner for South Georgia limited the number of licences available to 10, although there was far greater demand. Licences were required by Chilean, Korean, Russian and US vessels. In addition, one Argentine vessel voluntarily applied for, and was granted, a licence. The vessel operator subsequently arranged to transfer the licence to another non-Argentine vessel as part of a commercial arrangement. The allegation that we put pressure on the vessel to apply for a licence was wholly unfounded.

The South Georgia fisheries regime is legal in terms of our international obligations under the convention on the conservation of Antarctic marine living resources. Moreover it is wholly consistent with the convention in terms of its conservation measures.

In summary, the United Kingdom remains committed to Antarctica. We shall continue to demonstrate that commitment through a programme of first-class science there. We shall also continue to maintain a high political profile within the Antarctic treaty system.

Antarctica remains the platform from which many of today's global processes such as ozone depletion, atmospheric pollution, global warming and sea-level rise can best be monitored. The hon. Gentleman touched on the importance of those activities. Such issues are crucial to the global environment and to mankind. The UK will continue to play an active role in environmental protection and scientific research in Antarctica. I am glad to give the hon. Gentleman that assurance, and to reiterate my thanks to him for raising this important subject in the House.

Question put and agreed to.

Adjourned accordingly at thirteen minutes past Ten o'clock till Tuesday 16 April, pursuant to resolution [26 March].

House of Commons

Tuesday 16 April 1996

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

COMMITTEE OF SELECTION

Ordered,

That Mr. Don Dixon be discharged from the Committee of Selection and Mr. Nicholas Brown be added to the Committee.—[*Mr. Greg Knight*]

Oral Answers to Questions

HEALTH

Diet and Health

1. **Mr. Sheerman:** To ask the Secretary of State for Health what recent research his Department has evaluated on the relationship between diet and health. [23463]

The Parliamentary Under-Secretary of State for Health (Mr. John Bowis): We continually evaluate existing and new research into the relationship between nutritional aspects of diet and health and we are advised by the Committee on Medical Aspects of Food and Nutrition Policy.

Mr. Sheerman: Given that the Government—especially the Department of Health—seem to have an expertise in creating panic and hysteria about the link between diet and health, I invite them to turn their attention, with that particular expertise, to the relationship between poverty and health and the fact that poverty, low benefits, the withdrawal of free school milk and the damage done to the school meals service all mean that many of our children now face a shorter life expectancy and poor health. What will the Government do to tackle that serious problem?

Mr. Bowis: I suppose that we have to try to calm the panic that is being stirred up by the hon. Gentleman. The truth is that we monitor these things; we have task forces and groups that consider them. Surveys show that, irrespective of income, people receive adequate nutrients in their daily diet, and that people on both higher and lower incomes need to do something about their eating of fats, including saturated fats. Those on lower incomes, however, tend to eat fewer fruits and vegetables.

All the surveys show that, increasingly, people are aware of the dietary health messages; the problem is persuading them to do something about it.

Mr. Tredinnick: Does my hon. Friend accept that some E-additives and colourings in food can cause behavioural disorders, such as hyperactivity, especially in small children? Does he believe that there is a case for more research into the subject? Will he tell the House what research has been undertaken so far?

Mr. Bowis: My hon. Friend makes an important point. Advisory committees advise the Government on such matters as the effects of additions to foodstuffs. The Department of Health has a £2 million, four-year research programme—currently in its third year—inquiring into a range of issues.

We do take these matters seriously, as my hon. Friend does, and when appropriate we learn lessons from the research and draw those lessons to the attention of the public.

Mrs. Anne Campbell: Has the Minister any plans to visit the Dunn nutrition unit in Cambridge, which is doing valuable research into the relationship between diet and health? Does he feel that the prior options review, which is under way, should certainly not damage that important basic research, which is so valuable to us all?

Mr. Bowis: I might pass on the hon. Lady's kind invitation to visit Cambridge to my noble Friend Baroness Cumberlege, who deals with such matters from day to day. We value highly the work that is done in such places, alongside all the other research, the results of which are presented to the Government.

There is a great deal of research into diet and nutrition. Much of it is good; some of it is contradictory. We have the task of evaluating and assessing the messages that are brought to Government so that we know the best message to pass to the public.

Salaried Dentists

2. **Mr. Simon Coombs:** To ask the Secretary of State for Health how many salaried dentists are now employed in the south and west health region; and if he will make a statement. [23464]

The Minister for Health (Mr. Gerald Malone): The number of salaried dentists currently employed in the south and west region is 18.

Mr. Coombs: Notwithstanding the figure that my hon. Friend has given the House, and the fact that no fewer than eight dental practices in my constituency provide national health service free dentistry to those who need it and are entitled to it, my hon. Friend will be aware that there is a perception in Swindon and elsewhere that NHS dentistry, free at the point of delivery, is not as widely available as we should like it to be. What can my hon. Friend do to put to one side the constant misinformation that is being peddled by the Opposition—exacerbated by the press—and to give assurances to my constituents and others?

Mr. Malone: I am glad that my hon. Friend has given me the opportunity to destroy the perception which, as he rightly says, exists in the public domain because the perception is entirely false. In his

constituency there are 61 dental contracts—13 accept adult chargepayers, 18 accept non-chargepaying adults, 21 accept children and five accept emergencies. That local scene exists in the national context of an increased—a record—number of dentists providing NHS services. I am delighted to have this opportunity to destroy the perception to which my hon. Friend referred.

Mr. McLeish: Does the Minister accept that there is a crisis facing NHS dentistry in the south and west region? Will he acknowledge the recent British Dental Association survey which showed that one patient in two has difficulty in finding an NHS dentist? Will he confirm that the Government are driving dentistry out of the NHS—even to the point that 40 per cent. of Conservative Members of Parliament believe that in 10 years' time there will be no NHS dentistry? Is it not true that, today, the basis of Tory health care rests not on what someone needs, but on where someone lives and what he can afford?

Mr. Malone: I am sure that the hon. Gentleman would like to look at the facts surrounding the arguments rather than simply make assertions. In the south and west region, since 30 June 1992 the number of dentists providing NHS services has increased from 2,168 to 2,235. It does not matter how much the hon. Gentleman shakes his head—that is a fact. If he says that the service is in decline and the Government are withdrawing from NHS dentistry, he should look at a number of other figures. Expenditure has increased by 57 per cent. in real terms since 1979. If the hon. Gentleman does not like that figure he can turn his attention to courses of adult treatments—sadly, he will be disappointed to find that since 1979 they have risen from 17 million to 24.9 million. He might not be content with that and might turn his attention to adult examinations—he will be disappointed again as they have risen from 15.7 million to 19.3 million. If there is a local difficulty, it will be met by either the community dental service or a salaried dentist, of which there are now 126 employed in England.

Mr. Ian Bruce: My hon. Friend will know that local health authorities in Dorset are keen to be able to negotiate with people who have opted out of the NHS into private dentistry so that there is a reflection, on a regional basis, of the additional costs of providing NHS dentistry. Has my hon. Friend considered the application that has been made for the ability to negotiate locally? Has he had the support of the Labour party, which seems so keen to ensure that the problem is solved once and for all?

Mr. Malone: I shall not trouble my hon. Friend by trying to get the support of the Labour party, which appears to be purblind to what is going on in NHS dentistry. On my hon. Friend's specific point, I am delighted to be able to tell him that we are looking at more flexible ways of using the funding that is available for salaried dentists to see whether we can meet individual shortages where they arise. To put the matter in context, BDA figures show that only 500 dentists provide exclusively private dentistry in this country compared with the 15,000 plus dentists who provide NHS dentistry as well.

Market Testing

3. **Mrs. Bridget Prentice:** To ask the Secretary of State for Health when he last met the chief executives of the national health service trusts to discuss market testing. [23465]

The Parliamentary Under-Secretary of State for Health (Mr. John Horam): I am in regular contact with a wide range of people in the national health service, including chief executives, about ways to improve NHS services for the benefit of patients.

Mrs. Prentice: Does the Minister acknowledge that market testing is forcing NHS clinical services, such as haematology, pathology, anaesthetics and radiography, into the private sector? Will he admit that market testing—alongside the private finance initiative—is part of the Tory Government's plan to privatise the NHS?

Mr. Horam: The problem for the Labour party is quite the reverse: market testing of services in the NHS has saved it £1 billion since 1983. I do not know whether the Labour party would return those resources if it had to abolish or be critical of what is going on. The fact is that they are extremely small beer when it comes to clinical services, as the hon. Lady must be aware. They comprise a certain amount of pharmacy, sterile services and pharmacology and the rest is very small beer indeed.

Mrs. Roe: Does my hon. Friend agree that market testing is not about promoting the private sector over the public sector, nor indeed the other way around? Will not the winners of competitive tenders—whether NHS, in-house or external bidders—always be determined by quality of service and value for money?

Mr. Horam: My hon. Friend is right. The only one to gain from the market testing that has occurred is the NHS patient. We now have more resources to spend on real clinical benefits for the NHS patient.

Mr. Barron: When will the Minister recognise that doctors and patients are very worried about the Government's drive towards market testing inside the NHS? They view market testing as a way for the Government to force NHS trusts to privatise clinical services. The cuts in health service finances are leading increasingly to either private finance or no finance for clinical support services. When will it stop? Everyone knows that the Government's agenda is to privatise the national health service—neither the clinicians nor the general public want that.

Mr. Horam: The hon. Gentleman talks about our drive towards market testing. The fact is that the drive is now locally led by NHS trusts, who are going far beyond what they have been asked to do and are moving into areas such as maintenance, repairs, estate management and legal services. Market testing is providing those services with better value for money, and that is a huge gain for the ordinary patient.

Mr. Dunn: Will my hon. Friend confirm that he receives no money from the trade union UNISON for research or office expenses? If he did, does he believe that his attitude to market testing would be different?

Mr. Horam: I am entirely neutral on such matters.

Emergency Services

4. **Mr. Gunnell:** To ask the Secretary of State for Health when he last met the British Medical Association to discuss emergency services. [23466]

5. **Mr. Callaghan:** To ask the Secretary of State for Health when he last met the British Medical Association to discuss the future provision of accident and emergency departments. [23467]

Mr. Malone: We have regular meetings with representatives of the British Medical Association when a range of issues are discussed.

Mr. Gunnell: What has the Minister to say to my constituent whose mother's death at Leeds general infirmary after an eight-hour wait on a trolley was followed six weeks later by the death of her uncle after a five-hour wait on a trolley at the same hospital? Should he not promise my constituent an inquiry into emergency admissions at Leeds general infirmary? Should not he be able to confirm that the resources that the Secretary of State promised in a statement before the recess will find their way into the emergency bed service in Leeds? I have not been assured that those resources will make any difference to emergency services in Leeds. Is that not a disgrace and should not my constituent be assured that she is not likely to lose more family members after they have waited on trolleys for admission to Leeds general infirmary?

Mr. Malone: I can tell the hon. Gentleman and his constituent that the Government are committed to the improvement of emergency services, as set out by my right hon. Friend the Secretary of State for Health in a statement to the House not long ago. My right hon. Friend confirmed that a programme of action would follow his statement. That programme will be put in place and the resources to which my right hon. Friend referred are available to be spent in the health service. We have told health authorities that we expect them to treat emergency services as a priority when making expenditure decisions.

Mr. Callaghan: In light of the question asked by my hon. Friend the Member for Morley and Leeds, South (Mr. Gunnell) and the fact that a toddler from the midlands died recently after being transferred between four hospitals which did not have an emergency bed, how can the Minister reassure the House and the nation that our emergency and accident departments will cope in the event of a major disaster—I hope that it does not happen—by road, rail or air?

Mr. Malone: I make three points to the hon. Gentleman, who has raised a serious matter. One of his hon. Friends says, "Give us the statistics", so I shall do so. The first and most important statistic is the Government's commitment since 1980 to the development of accident and emergency services. For example, the number of consultants has been extended from 152 to 263, providing an improvement in the quality of the service. The number of other doctors has risen from 1,400 to 1,800 and the number of accident and emergency staff nurses has increased from 4,500 to 6,400. On the hon. Gentleman's specific point, my right hon. Friend the Secretary of State quite rightly addressed in his statement the availability of intensive care beds. There are also lessons to be learnt from the working party that reported to the Government, for example, in the proper use of intensive care beds across the country. Those lessons will be learnt and action will follow to secure improvements.

Sir Michael Neubert: Does my hon. Friend agree that the location of a casualty unit is critical to accident and emergency services? Does that not support the argument, while there is time, for the review and retention of the casualty unit at Oldchurch hospital in my constituency as it is close to the most populated, least mobile and least healthy south-west sector of the district, rather than pursuing the plan to base those services in the least populated, most mobile and most healthy north-east sector at Harold Wood?

Mr. Malone: My hon. Friend pursues a constituency point that he has raised before. I must reiterate what I have said on the issue. The relocation of those services is based on the principle of improved quality of care for people in the locality. That can sometimes make decisions extremely difficult in the interests of the general population. I know that my hon. Friend understands that, although he continues to pursue his point.

Mr. Dykes: Is my hon. Friend aware that he is being uncharacteristically complacent in his answers? *[Interruption.]* May I ask my right hon. Friend the Secretary of State and my hon. Friend to listen to my question? Is my hon. Friend further aware that the planned closure of the accident and emergency unit at Edgware general hospital is the largest proposed closure of those vital facilities north of the river? When the accident and emergency department at Stanmore was closed 12 years ago, Edgware was promised that it would continue for ever, so its proposed closure is not acceptable to the local community. The massive campaign to save the department is continuing in greater force. Will my hon. Friend now think again, following my right hon. Friend the Secretary of State's helpful answer and the correction on 19 March to the erroneous answer given by himself?

Mr. Malone: I know that my hon. Friend pursues these matters with great interest and assiduity. He recently had a meeting with my right hon. Friend the Secretary of State to discuss the specific matters that he has raised. Decisions still have to be taken and they will be in due course; however, I hear what my hon. Friend says.

Ms Harman: I know that Health Ministers want to wash their hands of responsibility for any problems in the health service, but may I press the Minister again on the two extremely serious cases that were raised by my hon. Friend the Member for Morley and Leeds, South (Mr. Gunnell) in which people died after waiting on trolleys in accident and emergency departments? Will the Minister at least tell the House that he is prepared to look into those cases and deal with the problems? Does he not recognise that there remains a crisis in hospital accident and emergency departments throughout the country?

Will the Minister admit that the Audit Commission report, "By Accident or Design" has now confirmed what the Secretary of State denied to the House when he last answered Health Questions? As well as agreeing to look into the cases that my hon. Friend raised, will he admit that there is a problem in accident and emergency due to the shortage of doctors and the fact that there are too few hospital beds so that patients have to wait on trolleys and cannot be admitted to hospital? Will he stop denying the crisis and start taking action to sort out the problems?

Mr. Malone: My right hon. Friend the Secretary of State has set out to the House a programme of work, which is being undertaken, for the provision of emergency services. On the specific point, of course I will look into the details raised in the questions by the Member for Morley and Leeds, South (Mr. Gunnell). If anything further needs to be done, I shall ensure that it is done.

On the abrogation of responsibility, the hon. Lady has again said on the Floor of the House that something needs to be done, but she has not given a single spending commitment to support what she says should be done. Until a few days ago, she had an excuse because there was a bar on tax rises from the hon. Member for Dunfermline, East (Mr. Brown), but that appears to have been lifted by the hon. Member for Birmingham, Ladywood (Ms Short) and so the hon. Member for Peckham (Ms Harman) cannot hide behind that.

Health Surveillance Committees

7. **Mrs. Gorman:** To ask the Secretary of State for Health if he will make a statement on the funding of health surveillance committees. [23470]

The Secretary of State for Health (Mr. Stephen Dorrell): Most health surveillance committees require funding only to cover the expenses incurred by members in carrying out their committee duties.

Mrs. Gorman: Will my right hon. Friend give the House more details of the funding of the Creutzfeldt-Jakob disease surveillance unit, which has been behind the current scare about beef that we are experiencing? Does he agree that when we had a similar scare about eggs and salmonella some years ago, the public health laboratory service—especially the Bristol unit, as I remember—was behind much of the data that caused that scare? The unit alleged that the data was scientifically based, but it had to back down. Does my right hon. Friend agree that it is important to shield such investigative units from too much public funding which may mean that political or commercial pressure is put on them to publish their results prematurely?

Mr. Dorrell: My hon. Friend puts the spotlight on the CJD surveillance unit in Edinburgh. That is funded by the Government to put resources into a better understanding of Creutzfeldt-Jakob disease. I do not believe that the public expect us to do anything other than ensure that research into a proper understanding of that disease is properly financed. I restated that commitment in the statements that I made to the House just before Easter.

Human Embryos

8. **Mr. Alton:** To ask the Secretary of State for Health how many human embryos have been artificially created in the past five years; how many have been destroyed through experimentation; and how many are in deep freeze. [23471]

Mr. Horam: As I said in my answer to the hon. Gentleman on 25 March this year, the number of embryos created for in vitro fertilisation treatment from 1 August 1991 to 1994 inclusive was 302,156. During the same period, the number donated for research was 27,524 and the total number frozen was 64,161.

Mr. Alton: I thank the Minister for that reply. Does he agree that there is a major question to be answered about the 3,000 orphaned embryos whose parents have been lost, and that perpetually freezing embryos and extending their shelf lives by another five years is not a solution to their immediate problem? What does the Minister intend to do about that? What consideration is being given to the research in France into the mutations that occur as a result of the freezing process? Does the Minister agree that the Human Fertilisation and Embryology Authority is an inappropriate watchdog because the majority of its finance comes from the clinics that it is supposed to supervise, and that that links the watchdog far too much with the burglar?

Mr. Horam: I understand the hon. Gentleman's convictions on the subject. He will realise that he has asked a whole series of questions that I cannot fully investigate in the time available. The hon. Gentleman will be aware that we hope to have a short debate soon, at which time we can go into such matters more fully.

On the question of the 3,000 embryos whose parents the clinics are unable to trace, a great effort must be made between now and the end date to minimise that problem as much as possible. The number of couples involved is a small fraction of 3,000—the number of embryos—and so the problem is smaller than perhaps the media have allowed.

The hon. Gentleman mentioned the French research, but extensive research has been done in this country as well, at Manchester university and other places, which has not so far established any suggestion that there is any difference between a child from a frozen embryo and a child born normally. I will have to take up the other matters when we have our much-rumoured debate.

Sir Patrick Cormack: Will my hon. Friend consider what the hon. Member for Liverpool, Mossley Hill (Mr. Alton) said about the HFEA? Is my hon. Friend aware that there is wide concern about some of the unnatural practices that were reported in the press this weekend?

Mr. Horam: The House should remember that the HFEA was set up as a result of a free vote of the House. In my view, it has carried out the instructions of the House in an exemplary manner and has done a job of which we can be proud by comparison with what happens in many other countries. I understand the point made by the hon. Member for Liverpool, Mossley Hill (Mr. Alton). The HFEA, like other agencies, will be reviewed after five years and those points will be taken into account.

Food Safety

9. **Mr. Viggers:** To ask the Secretary of State for Health what scientific evidence he takes into consideration in making recommendations on the safety of food products. [23472]

Mr. Dorrell: In developing food safety policy, the Government take expert advice from a wide range of sources, including a number of specialist advisory committees.

Mr. Viggers: Can my right hon. Friend confirm that he is advised by a range of committees made up of individuals who are pre-eminent in their field? Does he agree that, if we were to contemplate moving to a system as in the United States which has the Food and Drug Administration, it would not be possible to replicate the quality or the dependence of the advice that the Minister currently receives?

Mr. Dorrell: I agree with my hon. Friend that the Government are right to continue to rely for advice in those important fields on independent experts gathered together in advisory committees. I think that the country and all hon. Members on both sides of the House would be well served by respecting the scientific eminence of the people who serve on those committees and by accepting the basis of the science that they offer. If they do that, they have that approach in common with every reputable scientific opinion that has been expressed about the latest row about bovine spongiform encephalopathy.

Mr. Simon Hughes: Does the Secretary of State accept that there is now a real concern that we should look again at the way in which advice is given about the safety of drugs and food, and that the American FDA experience is a good one? If he is not prepared to commit himself to that, will he at least say that, in future, appointments to committees, such as the important ones to which he has referred today, will be the result of widespread consultation and cross-party agreement, so that they cannot be regarded as either partisan or as excluding perfectly proper alternative views which are relevant to the debate?

Mr. Dorrell: Such appointments already are subject to extensive consultation, not on a cross-party basis, because these questions do not lend themselves to party-political opinions, but within the scientific communities from which the scientists are drawn. Furthermore, the public has the extra safeguard that not only is the membership of such committees drawn from an extensive range of opinion within the scientific community, but each of the committees makes it clear that any scientists with an opinion on the issues within the competence of the committees are invited to put their opinions to the committees. Therefore, recruitment to the committees is open as well as the opinions that the committees themselves examine.

Mental Health Provision

10. **Ms Glenda Jackson:** To ask the Secretary of State for Health when he last met the British Medical Association to discuss mental health provision. [23473]

Mr. Bowis: Ministers meet the British Medical Association on formal and informal occasions and discuss a range of issues, including mental health.

Ms Jackson: Did those discussions include the report of the Royal College of Psychiatrists highlighting the totally inadequate bed provision for the mentally ill in 10 out of 16 of the old regional health authorities, and the surely scandalous fact, highlighted by the Royal College of Nursing, that only one in five schizophrenia patients has any access to a community psychiatric nurse? In the light of those reports and growing public disquiet, will the Government call an immediate halt to any further bed closures and address urgently serious staff shortages so that confidence in care in the community can begin to be re-established?

Mr. Bowis: I am aware of the reports and I am sure that the hon. Lady is aware of the action that has been taken. The Royal College of Psychiatrists produced two reports. Around the time of the first report we set up our mental health task force to consider services in London. It reported, having had discussions with each and every one of those inner London authorities. We then had my right hon. Friend's announcements earlier this year following the review of every health authority in the country as to the implementation of the care programme approach and the range and effectiveness of the spectrum of care which we seek to have in place in every health authority area.

The hon. Lady will know that we are currently spending some £2.5 billion on the service and that my right hon. Friend announced an extra budget of some £95 million in order to bring the necessary services up to pace. We have in place a policy that is broadly accepted. It is now being implemented, pursued where appropriate by the NHS executive. I hope that the hon. Lady will support the doctors, nurses and those working on the mental health side of the NHS in the work that they are doing to make that possible.

Mr. Sims: I am sure that my hon. Friend is aware of the public concern about whether provision for mental health patients in the community is adequate. Will he confirm that some of the welcome additional expenditure to which he referred will be devoted to fulfilling the pledge in the draft patients charter for mental health services: that no patient will be discharged from hospital until appropriate arrangements for his or her care in the community have been made?

Mr. Bowis: Yes, my hon. Friend is right, and I can certainly make that promise. In addition to the money from health authorities, that is precisely where the challenge fund money and, indeed, the mental illness specific grant, which is paid through local authorities, will go. It is fundamental that we have in place a spectrum of care: beds in hospitals—secure when appropriate—short-term, long-term, 48-hour and 24-hour nursing care

and the community services that mentally ill people need to support them in their homes or in supported accommodation in the community.

Mr. Milburn: But when will the Minister accept responsibility for the state of mental health services? There are too few beds in hospitals, facilities in the community are inadequate and staffing is stretched to breaking point in both. Has not the cart has been put before the horse in too many parts of Britain, with hospital beds being closed before new and appropriate community facilities have been opened? Will he act now to restore public confidence in mental health services, before there are any further tragedies, by imposing an immediate moratorium on any further mental health bed closures?

Mr. Bowis: That was a rather sad statement of official Labour party policy. We heard not a single extra pledge for mentally ill people, only an attempt to undermine the services that are being provided for them. Of course we take responsibility for these services. We are seeking to ensure that the policy of adequate resources and facilities being available in the community before beds are closed—which, until now, the Opposition had accepted as being the right one—is in place. All that the hon. Gentleman needs to do is to welcome it and thank the Government for seeking to implement it.

Accident and Emergency Departments

11. **Mr. Atkins:** To ask the Secretary of State for Health what representations he has received about the Audit Commission report on accident and emergency departments of hospitals in Lancashire. [23474]

Mr. Horam: We have received three letters on this subject.

Mr. Atkins: Will my hon. Friend confirm that the Audit Commission is independent of his Department; that its report on accident and emergency hospitals is not Government policy; and that hospitals in Chorley, Preston and Ormskirk can keep their A and E departments for as long as they want?

Mr. Horam: Indeed, I am happy to confirm my hon. Friend's statement. The Audit Commission confirmed exactly that in a press release a few days after the report was published and it was further amplified by North West region in relation to my hon. Friend's hospitals. As he will be aware, his constituency is extremely well served by the Royal Preston hospital, Chorley and district hospital, which is new, and Ormskirk and district general hospital. He omitted to mention the formidable performance of the Lancashire ambulance service, which is, I believe, reaching 97.7 per cent. of its patients in the 19-minute response time. My hon. Friend has an excellent NHS service in his area. I am sure that he will put that across in his own inimitable way.

Rev. Martin Smyth: I appreciate and welcome the Minister's positive response about Lancashire, but has the Audit Commission investigated the growth in the number of people who are seeking to use A and E services throughout the whole kingdom, as we are getting complaints that there is not sufficient provision? Is he satisfied that the Government have taken a United Kingdom view on that, not only his own remit in England but throughout the kingdom, or is—

Madam Speaker: Order. I know that the hon. Gentleman has been seeking to speak during Question Time but he is widening the question considerably—it relates only to Lancashire.

Mr. Dover: Is it not far better to leave the purchasing and providing authorities to sort out exactly what is required for accident and emergency services, taking local needs into account?

Mr. Horam: My hon. Friend is entirely right: such decisions should be made by health authorities. The Audit Commission's work was a sensible piece of research, but it was carried out on a national, hypothetical basis, and we always expect account to be taken of local factors.

Medicinal Drugs (Deaths)

12. **Mr. Flynn:** To ask the Secretary of State for Health what new proposals he has to reduce deaths caused by medicinal drugs. [23475]

Mr. Malone: We already have in place well-established systems for licensing and monitoring the safety of all medicines available in the United Kingdom, which ensure that the benefits of medicines outweigh any risks and prevent users from coming to unnecessary harm. Those systems continue to be developed, in particular to take advantage of advances in drug development.

Mr. Flynn: Why, then, if present trends continue, will more people be killed by medicines than by road traffic accidents? The greatest killer of all is paracetamol, which is available from supermarkets, garages and other shops. Will the Minister take steps to reduce the number of deaths—currently 200 a year—by confining the sale of paracetamol to pharmacists, improving labelling and encouraging the use of safe, protective forms of paracetamol?

Mr. Malone: I am aware of the report that my Department is currently considering, which deals with the implications of the number of tablets contained in a packet. I know that the hon. Gentleman takes a close interest in the matter; we shall consider it, and report in due course.

As for the hon. Gentleman's general point, according to yellow card reports relating to all cases in which paracetamol is a suspect drug, between 1990 and 1995 the figure fell from 65 to 49. The hon. Gentleman must see the position in context. I hope that we shall soon be able to produce more up-to-date and robust figures, and I shall ensure that they are brought to his attention.

Mr. John Marshall: Has my hon. Friend tried to work out how the position would be affected by the abolition of prescription charges, which would deprive the national health service of substantial resources and prevent hip replacement and other operations from being carried out?

Mr. Malone: I had not made the association made by my hon. Friend, but the consequences would be as he suggests.

Health Care Centres

13. **Mr. Pickthall:** To ask the Secretary of State for Health when he expects the publication of business plans for the primary health care centres projected in the north–west. [23476]

Mr. Dorrell: North West region has announced a programme of development of primary care resource centres to which it has allocated nearly £20 million. Proposals for those developments in each locality are the responsibility of local NHS management.

Mr. Pickthall: Does it not concern the Secretary of State that, when the regional executive makes such attractive promises, it says nothing about the revenue consequences—the so-called revenue tail? How are local health authorities supposed to fund and plan the centres? Is this not a mechanism to stall such desirable developments, while making it sound as though something is being done?

Mr. Dorrell: If it is a mechanism to stall the developments, it is remarkably unsuccessful. Eight centres in North West region are already functioning—five in Liverpool, one in Manchester, one in St Helens and one in Salford, which my hon. Friend the Minister of State opened at the beginning of March—and we are committed to bringing a further 10 on stream. I hoped that, rather than decrying this development, the hon. Gentleman would welcome an important improvement in the quality of primary health care available to his constituents and others living in the region.

Nurses

14. **Mr. Barry Jones:** To ask the Secretary of State for Health how many nurses are employed in the NHS; and if he will make a statement. [23477]

Mr. Malone: There were 347,000 qualified and unqualified nurses and midwives in the NHS on 30 September 1994—27,000 more than there were 10 years ago.

Mr. Jones: Why are two thirds of our hospital trusts finding it very difficult to recruit qualified nurses?

Mr. Malone: The hon. Gentleman's point is being addressed. The ability to shape the nursing work force by developing local training programmes allows a more precise mechanism for addressing local problems. Figures on the number of nurses by areas of work show that the number of hospital nursing and midwifery staff increased from 269,000 to 285,000 between 1984 and 1994. The same applies to other areas of work.

Mr. Jessel: My hon. Friend recently saw the excellent work of national health service nurses at Teddington Memorial hospital, which has tremendous local community support and which is the smallest NHS trust hospital in the country. Will he confirm that it will serve as the role model for all cottage and community hospitals that wish to have trust status?

Mr. Malone: Invitations to visit my hon. Friend's constituency are always impossible to resist and when undertaken they are memorable. I well remember my visit. That hospital is a great example, not just for my hon. Friend's constituency but for the country, of nursing roles and skills being better deployed and providing services for a local community.

PRIME MINISTER

Engagements

Q1. **Mr. O'Hara:** To ask the Prime Minister if he will list his official engagements for Tuesday 16 April. [23493]

The Prime Minister (Mr. John Major): This morning, I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House I shall be having further meetings later today.

Mr. O'Hara: Has the Prime Minister yet had time to read the remarks of the hon. Member for Rutland and Melton (Mr. Duncan), the mastermind of the Conservative campaign for the South-East Staffordshire by-election? Writing for the *Rutland and Stamford Mercury* just a few hours before polling, the hon. Gentleman observed that many people imagined that Labour would win the seat with ease, and he made the immortal comment that nothing could be further from the truth. Will the Prime Minister assure the House that that same hon. Member will be put in charge of all future by-elections and the general election?

The Prime Minister: The hon. Gentleman would perhaps be wiser not to be quite so smug as he was a moment ago. I advise him to talk to my hon. Friend the Member for Mid–Staffordshire (Mr. Fabricant), who will explain that by-election losses become general election gains.

Mr. Harry Greenway: Will my right hon. Friend confirm that the hon. Member for Birmingham, Ladywood (Ms Short) is perfectly free to pay more tax if she wishes to do so now? Has she not blown the gaff on what the Labour party would do if it were ever elected to office? It would put up taxes—income tax and everything else—as it always has.

The Prime Minister: I welcome the hon. Member for Birmingham, Ladywood (Ms Short) to the Chamber and I am delighted that she has been untied and ungagged and has been permitted to attend this afternoon. It was extremely unfair to pillory her. Just as the deputy leader of the Labour party tells us that he has joined the middle classes the hon. Lady decides to increase their taxes.

Mr. Blair: The last person in this country to lecture us about honesty in tax is the Prime Minister—people remember the pledge not to raise VAT before the last election. What reasons would the Prime Minister give for the Conservative party's humiliating defeat in that by-election?

The Prime Minister: If the right hon. Gentleman wishes to talk about taxes—[HON. MEMBERS: "No."] He raised it. Perhaps he would care to refer to the

unattributable briefing that he gave on the plane, and subsequently denied, in which he made it clear that taxes would go up at £40,000 and higher. Subsequently, when challenged it was claimed that the conversation never took place. [HON. MEMBERS: "Answer."]

Mr. Blair: It is interesting that they always want me to answer the questions: in a few months' time they will get their wish.

Is not one reason for the Conservative defeat perhaps the fact that people do not want their railway system broken into 100 different companies and sold on the cheap; they do not want the sale laced with sweeteners paid for from taxpayers' money; and they do not want hundreds of millions of pounds spent on the sale? In fact, the vast majority of people want that money to be spent on improving the system as a public service.

The Prime Minister: If the right hon. Gentleman thinks that paying a dividend to shareholders is a sweetener, it shows how little he actually understands about the private sector system. It is clear, for all his weasel words, that he simply does not understand how the private sector works. The sooner that he learns, the sooner people might take seriously the ludicrous suggestion that the Labour party understands the modern economy.

Mr. Blair: What we do understand is that the public do not want their railway system broken up and sold. Is not an underlying reason for the Conservative party defeat the fact that people simply do not trust the Conservatives any more? They do not trust them on railways, on tax or on the health service. The sooner they get the chance to say so loud and clear, the better for Britain.

The Prime Minister: I suppose that it is best to reprise the old favourites while one has the chance. When talking about the Labour party and the railway service, the right hon. Gentleman should recall that the Labour Government closed more than 600 stations; we have opened more than 220. Under Labour, fares rose by 20 per cent.; we have frozen them in line with the retail prices index and they will drop. When the right hon. Gentleman talks about the costs of privatisation, he should bear in mind the fact that there will be £10 billion of new private sector investment to improve the services for rail users. That could not have happened in the public sector; it did not happen in the public sector—

Mr. Prescott: We did it.

The Prime Minister: The right hon. Gentleman may say, "We did it", but I can tell him what the Labour Government did—they closed station after station after station. We have opened them and I will not let the right hon. Gentleman forget that.

Sir Mark Lennox-Boyd: Will my right hon. Friend comment on the good news of the week—that retail beef sales in Britain are back to 85 per cent. of what they were before the beef scare?

The Prime Minister: I am glad that the beef market is recovering. Even the Commission President and the Agriculture Commissioner now admit that British beef is safe. It is abundantly clear that, as we have always maintained, the export ban on British beef imposed by the Community was motivated more by the interests of other countries' beef markets than by public health. As my right hon. and learned Friend the Agriculture Minister will announce shortly, we have decided to take legal action against the totally unjustified ban on British beef.

Mr. Ashdown: Does the Prime Minister realise that the problem with the railways is not more competition but the way in which the Government have sought to go about it? Is he aware that that has resulted in 70 per cent. of passenger services in London and the south-east getting worse since privatisation started; in £69 million of taxpayers' money being spent to make Railtrack shares saleable; and in a £900 million increase in the salaries of Railtrack directors? Is not it perfectly clear that if the Government get their way with our railways, passenger trains will take second place to gravy trains?—*[Interruption.]*

The Prime Minister: The right hon. Member for Kingston upon Hull, East (Mr. Prescott) suggests from a sedentary position that the right hon. Member for Yeovil (Mr. Ashdown) has the same scriptwriter as the Leader of the Opposition. That is true.

The right hon. Member for Yeovil is wrong. Taking Railtrack back into public ownership would cripple the economy, as the Liberal Democrats said in their transport document. The right hon. Gentleman clearly does not understand that the £69 million is a dividend payment.

As for the service that the industry offers, I invite the right hon. Gentleman to consider the extra 600 trains a week that South West Trains will be running. Would those trains be running if the industry was still nationalised? What happened to the special offers for senior citizens, including £1 travel days, when the industry was in the public sector? What about the programme of improvements to stations, passenger facilities, lighting, security and waiting rooms? Those improvements are being made when the industry is in the private sector. They were not made when it was in the public sector, when the attitude of those in the public sector disgracefully let down the travelling public. We intend to improve that attitude.

Mr. Dover: Will the Prime Minister confirm that, under his leadership, Conservative Members will faithfully serve and look after the interests of the working class, in marked contrast to some Opposition Members?

The Prime Minister: The deputy leader of the Labour party is blushing. It is such an agreeable and unusual sight that I shall not add to his embarrassment.

Q2. **Mr. Bill Michie:** To ask the Prime Minister if he will list his official engagements for Tuesday 16 April. [23494]

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Mr. Michie: Does the Prime Minister understand the outrage that is felt when almost £1 million of profit from the publicly owned Railtrack is to go towards huge

bonuses to just six directors of a privatised rail company? Is not that an example of taking from the many and giving to the few?

The Prime Minister: If the hon. Gentleman is really concerned about taking from the many and giving to the few—[HON. MEMBERS: "Answer."] I will come directly to the hon. Gentleman's question in my own way—he might, first, have a look at his own local authority, which might collect the £558 million of debt that it is owed.

Mr. Michie: Rubbish.

The Prime Minister: The hon. Gentleman says "rubbish". Yes; in collecting its debts, Sheffield is rubbish. It does not collect its debts or make its interest payments, and it has massive council tax arrears. That is what Labour is like in power, in the phrase of the right hon. Member for Sedgefield (Mr. Blair).

On the bonus payment, Railtrack is proposing precisely the type of long-term performance bonus that has been recommended by Greenbury and urged on us by Opposition Front Benchers.

Q3. **Mr. Clifton-Brown:** To ask the Prime Minister if he will list his official engagements for Tuesday 16 April. [23495]

The Prime Minister: I refer my hon. Friend to the reply I gave some moments ago.

Mr. Clifton-Brown: Does my right hon. Friend agree that a fair tax system is a low-tax system? Did he see the article in the *Sunday Express*, in which the leader of the Labour party told journalists that the top rate of tax would be raised for those on £30,000 or more? That figure was subsequently quickly amended to £40,000 and subsequently denied altogether by the Labour party's spin doctors. Does he agree that the unscripted remarks by the Labour transport spokesman are a very useful contribution to the debate on the Labour party's tax policy?

Madam Speaker: Order. As the hon. Gentleman knows, questions should be related to the Government's responsibilities. We will now take the next question.

Q4. **Mr. Illsley:** To ask the Prime Minister if he will list his official engagements for Tuesday 16 April. [23496]

The Prime Minister: I refer the hon. Gentleman to the reply I gave some moments ago.

Mr. Illsley: Is the Prime Minister aware that, as of 1 April, thousands of disabled people will lose up to £30 a week as a result of his Government's decision to withdraw reduced earnings allowance and to replace it with retirement allowance? Will the Prime Minister reconsider that decision in view of the extreme hardship that that decision will cause to less-well-off members of our society?

The Prime Minister: We have taken a number of measures to improve the particular circumstances of people who are disabled. That is clear across a range of disability benefits and in the Disability Discrimination Act that the House passed just last year. If the hon. Gentleman is advocating more expenditure, I hope that—

Mr. Illsley *indicated dissent.*

The Prime Minister: If the hon. Gentleman is not advocating more expenditure than at present, I fail to understand what his question is about. If he is, I would like to know precisely how he is going to fund it and how much the tax increase will be for that and the many other areas where Labour wishes to spend more.

Mr. Brooke: As the cricket season starts, does my right hon. Friend take encouragement from the fact that this summer at the Oval we shall see the 50th anniversary of the longest and largest stand for the last wicket in the history of English cricket? Does he recognise that nothing in cricket exasperates the Opposition or cheers up the batting side as much?

The Prime Minister: As it happens, I was aware of that particular anniversary. I look forward at the Oval to seeing many performances like that by Surrey, and perhaps by England. I have absolutely no doubt that, politically, we shall see their equivalent.

HIV/AIDS Test

3.30 pm

Mr. Simon Hughes (Southwark and Bermondsey) (*by private notice*): To ask the Under-Secretary of State for Health what is the reliability of HIV/AIDS tests carried out under the NHS in the past 12 months and what assurances there are about the method of re-testing in case the tests have proved unreliable.

The Parliamentary Under-Secretary of State for Health (Mr. John Bowis): I thank the hon. Gentleman for giving me notice of this question. There is every reason to have confidence in our HIV testing system, even after the recent need to withdraw a particular test kit. Since this Abbott test was introduced in July 1995, some 125,000 tests have been performed, 25,000 of which used this particular kit.

Re-testing of stored samples for those who had been tested using this kit started over the Easter weekend and is largely complete. So far, with more than 90 per cent. of stored samples retested, all but three cases have been reconfirmed as negative. Those three are being further investigated.

Mr. Simon Hughes: I thank the Minister, but ask him to draw some conclusions that he can put into action as a result of this public health incident, that involving oral contraceptives last autumn and that related to bovine spongiform encephalopathy.

Is not the message of those three incidents that Government agencies need to work not only with the voluntary sector but with the press to ensure that there is neither over-reaction, as there was in the case of oral contraceptives and BSE, nor delayed under-reaction, as was the case with the HIV/AIDS test, which meant that the voluntary sector and hospitals had to cope over a bank holiday weekend without the necessary information? Can we have a proper system that provides information as quickly as possible and takes the press into the confidence of the Department of Health, just as the police often take journalists into their confidence when discussing a serious matter of criminal law?

Mr. Bowis: I thank the hon. Gentleman for the way in which he handled the matter on Good Friday when talking to the media. That was helpful, as was the response of Dr. Macara of the British Medical Association, the work of the various helplines, including those of Lighthouse, the Terence Higgins Trust, the National Aids Trust and the BBC, which went into action to calm people's worries and disseminate a message that had been put out on the radio by the deputy chief medical officer, Dr. Winyard.

Of course, we shall look at the issues that the hon. Gentleman has raised to see what lessons may be learned. When leaks occur, they can be difficult to deal with; when a leak occurs on a bank holiday, he will understand that it is even more difficult to deal with. Of course, matters need to be reviewed by Abbott where the problem arose, but we shall examine the way in which the information was handled once it had arrived with us.

There will always be a difficult balance to strike in such matters between providing individuals with information and waiting for the necessary handling arrangements to be put in place. That is the balance that we try to get right.

Ms Harriet Harman (Peckham): Will the Minister confirm that the company withdrew the faulty tests from United Kingdom use on 25 March? When did he personally know of the problem with the faulty HIV tests? Why did the news not become public until 11 days later, on Good Friday, at the start of the Easter break? Did not that delay cause needless anxiety for thousands of people who were left to worry throughout Easter? Did it not cause needless problems for hospital doctors, general practitioners, clinics and voluntary organisations, which were not properly informed and left in the dark?

How many people does the Minister expect will be told that they are HIV-positive despite having already had a negative test result? Will he review procedures and report back to the House on consultation with relevant organisations and back-up arrangements for such future health problems? Is this not yet another example—it is exactly the same as the contraceptive pill announcement—of the Government's delay, mishandling and incompetence?

Mr. Bowis: I answered most of the hon. Lady's questions in responding to the hon. Member for Southwark and Bermondsey (Mr. Hughes). No doubt she will look carefully at *Hansard* so that I do not have to repeat them. The unnecessary worry was caused by the leak—that is why the worry occurred.

The hon. Lady is also inaccurate about the dates. In fact, the information from Abbott's was first sent to the Medical Devices Agency at 5.15 pm on 29 March. She asked when I personally heard about it. I heard about it personally on Good Friday. In the meantime, the matter had been looked at in the preceding days by officials in our Department. A conscious decision was taken—I would have thought that the hon. Lady would understand it—that, having made arrangements for the announcements to be made after the bank holiday weekend, it would be better to make those announcements after the bank holiday weekend, so that the information did not cause worries when professional and technical advice and retesting facilities were not available. That, to me, is common sense, and that was what was done.

I am sorry that the hon. Lady, unlike the hon. Member for Southwark and Bermondsey, did not put out an understanding, soothing and calming message to the public who might be worried. Instead, she has immediately tried to make party political capital out of the matter, which does her no credit and will cause many people who have no need to worry an anxiety that they could have done without. I hope that, in future, she will first consider the interests of people who have such tests and not the interests of her own party.

BSE

3.37 pm

The Minister of Agriculture, Fisheries and Food (Mr. Douglas Hogg): With permission, I should like to make a statement on bovine spongiform encephalopathy.

In my previous statement on 3 April, I stated that there were signs that confidence was returning. I am very pleased to tell that House that matters have continued to improve. The latest reports that I have are that consumption is at roughly 85 per cent. of pre-crisis levels and that cattle throughput in markets is nearing 60 per cent. of previous levels. That is encouraging, since it is only by restoring confidence in beef that the industry's future will be secured for the long term. The measures that I am about to announce are geared to the achievement of that aim.

I have consistently made it clear that the Government are determined to ensure a viable future for the essential sectors in the beef chain—farmers, the slaughterhouse sector, manufacturers and renderers. I shall take farmers first. I announced on 28 March that the European Union calf premium scheme would be opened in the United Kingdom. The scheme will open next week, and will be run by the intervention board. Slightly more than £100 will be paid for each qualifying calf.

The House is aware that animals slaughtered at 30 months of age or more are now excluded from the food chain, and of the expectation that farmers would be compensated by an EC scheme. I can announce today that such a scheme will come into effect in the week beginning 29 April, and will also be run by the intervention board. Depending on the weight of the animals, farmers could receive nearly £500 per animal—effectively the cull cow price. The Government will bear the costs of the slaughter and destruction of the animals.

I recognise that some producers of steers and heifers normally plan to bring their animals to market at over 30 months, and will not have had time to adjust their production systems. Such animals would typically fetch significantly more than cull cows. I am pleased to announce today that the Government will pay a nationally funded supplement to the basic premium in respect of such steers and heifers, at a rate that reflects the historic differences between cow prices and those for steers and heifers.

The supplement will be payable for six months, which will allow producers time to adapt their marketing programmes to the new circumstances. The cost is likely to be up to £80 million. In general, the total return for animals over 30 months should not be greater than the market price of animals below 30 months going for consumption. The market is, however, turbulent at present, and it would be helpful for producers to be clear about the position when the scheme comes into operation. Accordingly, the top-up will be set at no less than 25p a kilo for the first four weeks that the scheme is in operation.

In the longer run, we need arrangements to allow back on the market meat from breeds—specialist breeds, for example—that often do not mature until after 30 months. Many of the animals concerned are in herds with no history of BSE. The case for exempting such animals from the 30-month rule is strong. As a matter of urgency, my officials are working up the technical elements of a scheme that would allow clearly defined exemptions to be made.

On 3 April, I reported extensions in the coverage of beef intervention. On 12 April, a further widening of the categories of intervention applicable in the United Kingdom, and the removal of weight limits, were agreed. For the first time, intervention on young bulls will be possible in the United Kingdom.

More generally, I am also pursuing with food retailers and manufacturers ideas for quality assurance schemes to help restore confidence in British beef. As a result, I can announce that we are proceeding as a matter of urgency with arrangements to improve animal identification and traceability. I hope to be in a position to introduce a scheme of mandatory animal passports for that purpose with effect from 1 June. That will make a valuable contribution to the development of marketing strategies by retailers and manufacturers to persuade consumers that our beef is of the highest quality.

I believe that those measures taken together, in addition to those that we have already announced, will provide the essential support that our beef farming sector needs.

As for manufacturers, on 12 April I amended the emergency control order to allow imports of beef from animals over 30 months of age produced in certain third countries that traditionally supply the United Kingdom, in which there is no history of BSE. That was necessary to prevent closures in parts of the meat manufacturing industry which for technical reasons are heavily dependent on imports of older beef. I should emphasise that my decision to lift the ban on imports does not apply to imports from EU countries.

As for the slaughtering sector, in my recent statements I have informed the House of the additional resources that we are giving the Meat Hygiene Service to ensure rigorous enforcement of the rules on hygiene in slaughterhouses, especially in connection with specified bovine offals.

We have now received a report from Coopers and Lybrand, which was appointed on 4 April to quantify the economic difficulties facing the slaughterhouse sector. I have today placed in the Library a copy of that report, with minor excisions for reasons of commercial confidentiality. Coopers and Lybrand concluded that there is a substantial "blockage" in the slaughtering sector, valued at about £132 million at pre-crisis price levels, which is undermining the financial viability of many companies, to the extent that in the absence of action, widespread company failures are likely soon. Against that background, I believe that exceptional assistance is justified.

I can announce today that I propose to introduce an aid scheme which will inject £110 million into the slaughtering sector. It will consist of two elements. The first is that all slaughterhouses that continue to slaughter bovines will receive payment based on their throughput of cattle in 1995-96. The payment will be made in two stages, with 80 per cent. to be paid immediately, and the remaining 20 per cent. to be paid in two months' time. This assistance will replace the proposal to relieve slaughterhouses from Meat Hygiene Service red meat inspection charges to which I referred on 3 April. Assistance will be paid at the rate of around £8.75 for every bovine slaughtered during 1995-96, giving a total of £30 million to be paid under this head.

The second element is that the Government will introduce arrangements for purchasing and disposing of the blockage, which has already been identified and

[Mr. Douglas Hogg]

audited under the supervision of Coopers and Lybrand. The intervention board will purchase those stocks at a valuation of 65 per cent. of the pre-crisis market price and will take responsibility for their secure disposal. The board will enter into discussions with the trade associations on the detailed mechanisms. We estimate that the total cost of this second aid will be £80 million, making £110 million of aid overall.

Pending parliamentary approval, which will be sought by way of supplementary estimates, necessary expenditure for the aid and for the top-up payment to producers of animals over 30 months old, to which I referred a few moments ago, will be met by repayable advances from the Contingencies Fund.

The slaughtering sector was recognised, before the latest crisis, to have substantial over-capacity, and Coopers and Lybrand has confirmed that view. Rationalisation is therefore necessary. The substantial package of support I have announced should, however, provide a breathing space during which companies can adjust to the new market circumstances and make rational decisions about their future operations. Without that support, we risked the disorderly collapse of a sector on which a secure and efficient beef supply chain crucially depends.

I am, of course, aware that there may be other sectors that have stocks that they cannot bring to market. The support I have announced today is based on the particular circumstances and the role of the slaughtering sector. The Government therefore do not consider that equivalent assistance should be paid to other sectors. In the interests of public health and market confidence, however, I am asking the Intervention Board to accept responsibility for the disposal of unsaleable stocks currently held in the United Kingdom, at Government expense, if requested to do so.

The waste material, offals and carcase meat resulting from the actions I am announcing today will be treated primarily by rendering, with the resultant material to be disposed of by the best practicable environmental option. The ways and means of this are being discussed urgently with the industries concerned. That indicates the importance of the rendering industry to the beef chain. I announced previously a temporary subsidy for renderers, and first payments will be made this week.

The announcements I have made provide a comprehensive system of support for the essential links in the beef chain. They should enable the industry to plan for the future with confidence. However, there are two other aspects on which the House will wish to know the Government's position. I refer to the EC ban on UK exports and the possibility of selective culling to accelerate the decline in the incidence of BSE.

The Government will make every effort to secure the speedy elimination of the ban by whatever means are most likely to prove effective, including, as my right hon. Friend the Prime Minister said earlier, a legal challenge which will be made shortly in the European Court of Justice.

On selective culling, my experts are looking carefully at whether a cost-effective scheme could be devised. That remains to be seen. However, I should say at once that the picture that some have painted of a mass slaughtering policy involving millions of cattle, in other words affecting a large proportion of the British herd, is wholly unreal.

The Government have no intention of adopting any such measure, which would be unacceptable on many grounds. The models we are considering involve limited numbers of individual animals—in the low tens of thousands, not the hundreds of thousands, far less millions, which is sometimes described—and do not provide for the slaughter of whole herds.

If an acceptable scheme can be devised—that is, one that is likely to reduce the incidence of BSE significantly at acceptable cost—the Government will consult on the details with all those interested before taking matters forward. We would implement the scheme only if we were satisfied that to do so was to the clear benefit of the United Kingdom beef industry—for example, if there were a direct understanding about the lifting of the EC ban.

The past few weeks have been a time of great concern for all those who work in the beef industry. As a Member of the House representing a rural constituency, I share the significant anxiety felt by all those who farm and whose livelihood depends on the beef industry. The extensive package of measures that I have announced today should go a long way to reassure farmers and other essential sectors of the beef industry that they can rely on the full support of the Government in this, their hour of need.

Dr. Gavin Strang (Edinburgh, East): I remind the Minister that full confidence in the safety of British beef will return only when all the measures he has announced are in place and properly enforced. In that context, when does he expect all the measures that he has announced since 20 March 1996 to be brought into operation? Will he give the House an assurance that he is satisfied that the appalling breaches in the measures to keep the BSE agent out of our food that were revealed a few months ago will not be repeated?

I welcome many of the support arrangements that the Minister announced for the industry. Obviously, we shall want to examine the figures, but I welcome in principle his decision to accept that compensation for prime quality beef animals over 30 months should in principle be higher than for the lower value cull cows.

I welcome the Minister's announcement about the movement of the large quantities of beef that are now held in our cold stores and throughout the country. Will he give us some assurance that he believes that that will now get the market moving?

On the calf slaughter premium, I believe that the whole House will agree that it is a sad day when dairy farmers are now to be paid slightly more than £100 to slaughter a calf shortly after its birth. I ask the Minister to keep a close eye on this measure and to recognise that a balance should be struck between the interests of the beef industry, which is being hit hard, and those of the dairy sector.

I welcome the measures that the Minister announced about the quality assurance scheme or schemes. They are a far cry from the Prime Minister's initial response to this proposal when we made it. I strongly support the Minister's view that traceability is vital. This creates an opportunity to develop a range of schemes and to build up consumer confidence in beef—and perhaps, in the longer term, in other products—in a way that perhaps we should have done in years gone by.

Will the Minister give us an idea how long it will take to move all the beef that is currently in store? I do not mean the beef that is being taken into intervention—I welcome what the Minister said about intervention.

Is the Minister aware that the British Veterinary Association has warned that potentially very serious welfare problems are developing on our farms because large numbers of cattle aged more than 30 months are now being held? They have to be housed and fed, and farmers know that they will not be turned into beef, so the quality of the animal will not affect the level of compensation. I note that the Minister announced that the slaughter of those cattle aged over 30 months will come into operation on 29 April, but that is some time ahead.

Will the Minister look carefully at that issue? In that context, there is a lesson to be learned, not just about the importance of the Meat Hygiene Service—I welcome the additional resources that the Minister announced for it earlier—but about the importance of the state veterinary service and the work it does, on the ground, with the veterinary profession.

Has the Minister reached any conclusions—perhaps provisional—with the Secretary of State for the Environment about the disposal of the huge amount of waste that will be generated by the measures?

Does the Minister recognise that there has been widespread concern about the possibility of an additional selective slaughter programme involving the widespread slaughter of healthy animals? What he said today seems to suggest that he is responding to that concern. Has he consulted the industry about the limited figures that he announced today?

When will we receive the details of the additional slaughter programme? Obviously, as long as it is hanging over the industry, it will involve some uncertainty. The Minister advised the House a few weeks ago that he believed that it would be some years before we had a live test for BSE. In view of the recent discussion on the matter, is that still his view?

It is vital that the ban on the export of British beef and beef products is lifted. Is it true that any legal action is likely to take months to reach the courts? Will the Minister assure the House that such action cannot be a substitute for energetic political and diplomatic action to secure an agreed lifting of that ban?

Following the announcement on 20 March that the new CJD cases were likely to be linked with BSE, the Minister said:

"I do not believe that this information should damage consumer confidence and thus the beef market."—[*Official Report*, 20 March 1996; Vol. 274, c. 387.]

Is it not clear that that was a remarkable misjudgment on the Government's part? Does it not explain why the Government seem to have been totally unprepared for the scale of the crisis that hit the beef industry following the announcements on 20 March?

While the Government have announced some useful measures, four weeks later there is still a crisis, and thousands of livelihoods are still at stake.

Mr. Hogg: The hon. Gentleman began by saying that it was important to restore consumer confidence. That is, of course, entirely right, and unless that happens, the health of the British beef industry will not be restored. Part of the responsibility for the damage to consumer confidence lies with comments made not by the hon. Gentleman, but by some of his right hon. and hon. Friends. The hon. Gentleman rebukes me for having said on a previous occasion that there was no reason why consumer confidence should be damaged; there was and is no reason why it should be damaged, because British beef is safe. It is perfectly true that confidence has been damaged, but that is a wholly different point.

The hon. Gentleman referred to the important matter of enforcing the SBO controls in the slaughterhouses—that is important; we have emphasised its importance, and we are putting in more resources. As the hon. Gentleman will know, the latest audit figures on that matter are encouraging.

The hon. Gentleman has asked me to keep an eye on calf slaughter, and I certainly will.

On a small point of clarification, the sum of £103 is payable to the slaughterer rather than the farmer involved.

By purchasing the overhang of beef in the abattoirs, we can achieve at least two things. First, we shall have clear physical space, which is desirable in some slaughterhouses, and, secondly, we shall provide some liquidity for slaughterhouse and abattoir owners so that they can more readily purchase beef in the marketplace.

The hon. Gentleman referred to the quality assurance scheme. I am focusing most on how to devise an exemption scheme for the 30-month-plus beast in respect of herds that may be described as self-contained and are not fed on material that is likely to cause BSE and so on. I am reluctant to look too closely at present at a quality assurance scheme in respect of cattle under the age of 30 months, as the proposition must be that all British beef from cattle under the age of 30 months is safe.

The hon. Gentleman is correct about traceability: it is an important point, and I hope that we shall come up with a passport system around 1 June. The hon. Gentleman made a point about the slaughter of cull cows. We must get on with that with all possible dispatch, and I welcome the hon. Gentleman's support for the measure. He paid tribute to the Meat Hygiene Service and to the state veterinary service, and so do I. The hon. Gentleman asked about the disposal of waste. There is substantial surplus capacity in the rendering industry, and most of the rendering in respect of cull cows will be done by that industry.

The hon. Gentleman expressed concern about a selective cull. I hope that what I have said in my statement today will reassure him and others: any cull that is designed to accelerate the reduction of BSE must be carefully targeted, and justified statistically according to scientific analysis. As to a live test, I regret to say that, so far as we can judge, there is no prospect of the early introduction of such a test. I wish that it were otherwise, but it does not appear to be so.

As to legal action, the hon. Gentleman is clearly correct when he says that substantive action could take a long time. However, it is possible also to seek interim relief, and that is what we shall do. The hon. Gentleman is also correct to say that negotiations are as important as legal action in the process.

Sir Hector Monro (Dumfries): Does my right hon. and learned Friend accept that the most pressing point made to

[Sir Hector Monro]

me in the past three weeks concerns the disposal of prime cattle aged more than 30 months? Therefore, I am very glad that he has announced a scheme that will effectively provide 111p per live kilo for disposal. Will he go a little further with regard to slow-maturing cattle, such as Highlanders and Galloways, which will almost inevitably be more than 30 months old when they go to market? Will he find some exemption system for those cattle?

Mr. Hogg: I am grateful to my right hon. Friend for those comments. As I have said before, he knows more about the subject than almost anyone else in this place. His support for the top-up figure of 110p per kilo is very welcome, and I acknowledge it with thanks.

My right hon. Friend makes an important point about the slow-maturing herds, of which he has given an example. For that reason, we are looking at the possibility of devising an exemption scheme for cattle aged more than 30 months so as to permit those beasts to enter the food chain. It is an important point. We must make it plain that it is a justified exemption from the 30-month rule that does not prejudice human health in any way. We are working on it urgently.

Mr. Paul Tyler (North Cornwall): The Minister knows that the Liberal Democrats have given cross-party support to the twin objectives of restoring consumer confidence and seeking to lift the ban in Europe. We welcome the Minister's statement, but our reaction is: why could it not have been made sooner? It is evident from the Minister's statement that many of the measures proposed in the package fall within United Kingdom Government jurisdiction, and do not depend upon the European Commission's approval.

Having said that, what has the Minister to say on the subject of the further delay for exempted breeds, which is obviously an extremely important point, given that cattle that have not had any potential exposure to contaminated feed must clearly, on the scientific evidence, be removed from any culling scheme? What will he tell those distraught farmers who are still waiting to hear what will happen? The Minister says that he seeks a scheme in the "longer term". What does he mean by that? What statutory powers does the Minister have to order the destruction of a healthy beef animal under animal disease legislation?

What representations has the Minister received from the farming unions on the level of compensation? Surely there should be compensation for the cull cow price before the crisis and before the market collapsed, rather than at the current level. The Minister will be aware that we support his overall objectives, but we shall be watching critically, as will the whole of rural Britain, to see how quickly the measures can be brought to speedy effect.

Mr. Hogg: I am pleased to get support wherever I can, even from the hon. Gentleman. The hon. Gentleman was more than a trifle churlish, but no matter—that was what I expected. He rebuked me for taking time, but, by their nature, some of these matters take time.

For example, it was important first to get the agreement of the Beef Management Committee to the 30-month scheme, as set out in the conclusions of the Agriculture Council. As I am sure the hon. Gentleman knows, the Beef Management Committee did not meet until the end of last week. It was important to get its agreement before going on to the next stage, which in this context is to work at the exemption scheme. I wanted to get the agreement of the Beef Management Committee to the broad proposition before producing proposals to derogate from it, for reasons that I imagine the hon. Gentleman will treat as good.

The hon. Gentleman referred to statutory powers, and I am satisfied that they exist. However, there is a problem regarding the top-up. In principle, it would be difficult to justify paying under the top-up scheme a higher price per kilo for beef going for destruction than the price per kilo for beef going into the market for human consumption. The economic consequences would be perverse, so we should be chary about doing that. That is why, on the top-up scheme and the rate of compensation, I expressed myself as I did.

Several hon. Members *rose—*

Madam Speaker: Order. The House has a great deal of business before it today, and I am simply asking for co-operation in brisk questions and brisk answers.

Mr. Robert Key (Salisbury): May I thank my right hon. and learned Friend and his ministerial team for providing the answers that we hoped to hear? I congratulate him on that.

Will he kindly consult our right hon. Friend the Chief Secretary and Inland Revenue officials on the knotty and difficult problem of tax? Farmers have a tight tax regime and, as I found when checked this morning, no special instruction has been given to collectors of tax on how to treat farmers, who are still receiving the same tax demands as they would under normal trading conditions. Associated industries are also under tight tax regimes and receive no helpful treatment, even when firms have been closed down directly as a result of the orders that my right hon. and learned Friend had to impose two weeks ago.

Mr. Hogg: I shall ensure that my hon. Friend's observations are brought to the attention of my right hon. Friend the Chief Secretary and my right hon. and learned Friend the Chancellor of the Exchequer.

Mr. John Home Robertson (East Lothian): I would like to hope that the Minister is in control of the situation, but I suspect that he is being driven by it. How many people are now out of work or on short time as a result of the Government's woeful handling of the crisis? Does he accept that the principal objective on which we should all agree is that BSE must be eradicated? Is that the Government's policy, and if not, why not?

Mr. Hogg: On unemployment, yes, people have been put on short time and have lost their jobs. That is a regrettable state of affairs. It has flowed for a variety of reasons, including a lack of consumer confidence. I repeat that the hon. Member for Peckham and others really have to face up to their responsibility for that.

On the eradication of BSE, the steps that we have already taken, in particular with regard to the changes in the constitution of animal feed—as the hon. Gentleman will know, we have excluded mammalian elements from the feed to be fed to all farm animals—will ultimately

produce no BSE or a very low incidence of that disease. The figures are reducing dramatically and encouragingly. If it were possible in a highly targeted way substantially and cost-effectively to accelerate the process of eradication, the House might well consider that a desirable course of action.

Mr. Robert Jackson (Wantage): Does my right hon. Friend agree that a foolproof system of identification and tracing, including movements from birth to slaughter, and possibly electronic tagging, is an essential element in restoring consumer confidence at home and abroad?

Mr. Hogg: I do, and the Northern Irish can give us an example in that respect.

Mr. William Ross (East Londonderry): Does the Minister appreciate that farmers will be happy that, after this tortuous month, they now have some idea of their likely financial position? Would it not have been much wiser if the Minister had had a contingency plan prepared from last November in case the situation went wildly wrong, as has happened? Is the Minister aware that the scheme that he has formulated for cattle over 30 months old does not mention bull beef, only steers and heifers? What will happen to that class of animal?

Is the Minister further aware that, as the right hon. Member for Dumfries (Sir H. Monro) pointed out, there must be a large regional difference in the value of cull cows? Can the Minister tell farmers that some cognisance will be taken of that difference in the top-up scheme? Farmers in Northern Ireland will be down by £150 per head on pre-crisis prices.

Will the Minister ask the Leader of the House to arrange a debate on this complex and detailed statement, because it cannot be explored in the time that we have today?

Mr. Hogg: My right hon. Friend the Leader of the House will have heard what the hon. Gentleman has said. Of course, we have already had one debate on this subject, some two weeks ago.

On the subject of Northern Ireland, I have had great assistance from my noble Friend Lady Denton, and I am grateful for the way that the interests of Northern Ireland have been protected by her and my right hon. and learned Friend Secretary of State for Northern Ireland. In that context, I will listen to my noble Friend's views on the question of bull beef. The valuation of the cull cow is in fact prescribed in the European document.

Mr. James Couchman (Gillingham): My right hon. and learned Friend will be aware that his words will be widely welcomed by dairy and beef farmers, and also by the slaughterers. Will he think again about the manufacturers, such as the large pie factory in my constituency? Their businesses have been very substantially hit, and the employment of their employees is now very fragile. Since Mr. Fischler seems to think that British beef is safe, will my right hon. and learned Friend call in the bosses of McDonald's and Burger King and ask them to put their confidence in British beef and put it back into their products?

Mr. Hogg: I am conscious of the situation in my hon. Friend's constituency, and others, with regard to pie making. It was partly representations made by my hon. Friend that persuaded me of the need to lift the prohibition on imports into the United Kingdom from third countries where there was no BSE. My hon. Friend's representations had a considerable part to play in causing me to come to that decision, but I cannot go any further on the question of market support, which was the first point that my hon. Friend made. On the question of McDonald's and others, I and my hon. Friends in the Ministry of Agriculture, Fisheries and Food have, on several occasions, met manufacturers' representatives, including McDonald's.

Mr. Dennis Skinner (Bolsover): Is the Minister aware that the Government have come a long way from the heady days of their philosophy of allowing the market to put everything right? In that regard, I remind him about the mining industry. The Government allowed every pit in Derbyshire to be closed, and refused to discuss subsidies.

Now that the Minister has crossed that great divide, will he turn his attention to the many people who have lost and will lose their jobs in this crisis, including those who transport the meat, and those in the food retail business—the workers? Can we have some guarantee that, if the Minister subsidises farmers, those in the slaughterhouses and the manufacturers, he will ensure that every worker who loses a job as a result of this Government crisis gets proper compensation?

Mr. Hogg: I accept that that is the authentic voice of Labour, but I could not commend it to the House or to the country. We are in the business of trying to identify those links in the chain that are essential to the survival of a healthy British beef industry. It is for that reason that we have come to the particular decisions that I have announced today—for example, about renderers and the abattoirs, which satisfy the requirement precisely.

Mr. Tony Marlow (Northampton, North): Does my right hon. and learned Friend have the agreement of our European masters that the top-up for the steer aged 30 months plus, which is a state aid, should go ahead? If no such agreement is forthcoming, what will happen? Now that we have a vast plethora of money from the British taxpayer, what will be the net contribution overall from the European Union, which caused this great crisis? Will it be about 10 per cent?

Mr. Hogg: My hon. Friend is right to say that I have introduced a number of measures which are properly classified as state aids. They need to be notified to the European Union in the ordinary way. Informally they have been, and formally they will be, and I anticipate agreement.

On the second part of his question, on the rebate, my hon. Friend is right. Because of the impact of the rebate, on the margins United Kingdom taxpayers pay a high proportion of additional expenditure in the United Kingdom, albeit that it comes in the first instance from European Union funds. That is not an argument against it, but it is an argument in favour of making the position clear.

Mr. Dafydd Wigley (Caernarfon): Will the Minister give some assurance that the historic market supplement prices may be available for longer than six months in order to get long-term confidence? Will the £100 calf

[Mr. Dafydd Wigley]

premium be available to the producer, or will costs have to be taken out for meat hygiene purposes? Will the Government make a point during the next week of linking up individually with all our colleagues in the European Union ahead of the meeting at the end of April of the Council of Ministers in order to ensure that each individual member state understands our point, which the Commission clearly does not?

Mr. Hogg: With regard to dairy calves, the hon. Gentleman should know that the £103 is a payment to the slaughterer and there will be deductions from that by the slaughterer so that the farmer will in fact receive less than £103. With regard to the top-up, at the moment we have in mind that the top-up should be payable for some six months. The justification for that is that it is possible in our judgment in respect of beasts under the age of 24 months so to alter the management of the beasts that they can be brought to market for beef purposes under the age of 30 months. I hope that the hon. Gentleman will think that that is a good justification.

With regard to negotiations within the European Union, if I am to be absolutely honest, I believe that the Commissioner has a much clearer view of the problems than the member states. I have found much more sense coming from the Commission than from many of the Ministers at the Agriculture Council.

Mr. Tom King (Bridgwater): Is my right hon. and learned Friend aware that there are obviously enormous benefits to come from the lifting of the European ban, but it cannot be at any price; and, since British beef is safe, it would be simply intolerable if we engaged in a massive slaughter of beasts known to be perfectly healthy? Is my right hon. and learned Friend giving any consideration to whether beasts that are aged over 30 months, which for the moment are not to go into the food chain, could be slaughtered and the meat stored against the time when greater scientific knowledge might give the reassurance necessary for its perfectly safe consumption?

Mr. Hogg: I can well understand my right hon. Friend's concern about the impact of a massive—if I might use his word—culling policy, and that is not in our mind. The question is whether it is possible, by a carefully targeted culling policy which would substantially reduce the predicted numbers of confirmed BSE cases, to come forward with a policy that would be acceptable to the industry and the House. That is something that I should like to work away at, because to accelerate the decline in BSE in the British herd is intrinsically worth doing if it can be done in a sustainable and sensible way.

On the suggestion of putting beef into cold storage for long periods, I would prefer the measures that I have outlined.

Mr. Tam Dalyell (Linlithgow): What action is being taken on the science of all this? Ministers will know that I have sent them evidence from the *New Scientist* of experiments such as those at Ames, Iowa, where scrapie was injected into bovines, with the result that, although there was illness, it was not at all related to BSE. What is being done about protein 130 and 131 experiments, and, indeed, prions in feed, and the possible linkage between BSE and the shortage of magnesium—hypomagnacaemia? All these matters are very important. Will the Minister at least put something in the Library to convince us that the root causes really are being pursued?

Mr. Hogg: I certainly hope that the root causes are being addressed. We are spending a great deal of money on research into the condition, and on ways to develop, for example, live tests and other ways to determine whether a beast is affected. The Spongiform Encephalopathy Advisory Committee is the main source of scientific advice, and has proved of enormous importance in this area. I shall explore whether it is possible in a sensible way to summarise in a brief paper the main avenues of scientific investigation at the moment, and shall see whether we can put that in the Library. That is not a commitment to do so, but it is a commitment to see whether it can sensibly be done.

Mr. Paul Marland (West Gloucestershire): Is my right hon. and learned Friend aware that the beef industry will give a warm welcome to his statement this afternoon, not only because of the careful way in which he thought it through and the action that he proposes, but because of the way in which he has not allowed his head to be turned in the past few weeks by some of the hysterical comments from elsewhere?

In view of the statement and the steps that will be taken to reassure confidence in British beef, how long does my right hon. and learned Friend think it will be before the European Commission reconsiders the ban on British beef, especially in the light of some of the comments that have been made by European Commissioners and the fact that, the longer the situation has gone on, the more evidence has been produced in this country—I found some myself in Gloucester market last week—that BSE exists in Europe?

Mr. Hogg: I am grateful to my hon. Friend for his kind support. He is right that BSE exists in Europe, and I suspect that it exists in much more substantial quantities than has been formally admitted by the respective Governments in Europe.

I find the remarks made by Commissioner Fischler extremely helpful because they reinforce the points that we wish to make in the legal action. We will press ahead in our attempts to get the ban lifted—and the national bans as well—with all possible dispatch, but I do not think it sensible at the moment for me to express an end date. Therefore, I cannot help my hon. Friend on that point.

Mr. D. N. Campbell-Savours (Workington): How will the animal passport system work in the context of the national database, which the hon. Member for Wantage (Mr. Jackson) called for? That is the way in which the Dutch organise their market, and it was also the subject of a Select Committee recommendation. Is it not time that we go down that route, and do so rapidly, as the hon. Gentleman said? What will happen to the beef that the Community has accepted should go into intervention?

Mr. Hogg: On the latter part of the hon. Gentleman's question, it depends on whether there is a market for the beef. I do not exclude the possibility that ultimately it will be destroyed. That would be lamentable, because in truth that beef is safe, but consumption depends on a willingness to buy, and that in turn depends on consumer confidence.

On the first part of the question, the modalities need to be further explored, but the hon. Gentleman is right to emphasise the importance of traceability and passports. We hope to have firm proposals in place by 1 June. We shall consult the industry to ensure that what we have in mind is a sensible scheme.

Mr. John Greenway (Ryedale): I thank my right hon. and learned Friend for his statement, and for listening so carefully to the many representations relating to the issues in it which have been made over the past two or three weeks. Is it not clear, however, that what he has said this afternoon involves not just ensuring the recovery of confidence in beef in Britain, but addressing the problem of the European ban? I am sure that farmers will welcome the Government's announcement that they will press a legal challenge against it, but has not the ban itself become the problem? What will other member states do to deal with the problem of BSE in those states, whose existence is recognised by consumers throughout Europe, by implementing the sort of measures that we now have in Britain?

Mr. Hogg: I am grateful to my hon. Friend, who has made some valuable suggestions to me in the past three or four weeks. He is right to focus on the ban: it is a serious problem, and we shall have to work expeditiously and vigorously to try to ensure that it is lifted at an early stage. He is also right to focus on the absence of proper slaughterhouse controls in a number of European Union countries. That concerns us, and it needs to be raised at European Union level.

Mr. Malcolm Bruce (Gordon): A number of the measures announced by the Minister are welcome and will be well received, although we have waited some time for them. Does he accept, however, that unemployment in the industry has a disastrous effect not just on the workers in question but on the skills base, which is crucial?

In my constituency in Aberdeenshire, which exports the creme de la creme, the lifting of the ban is a matter of urgency. What would the Minister say to firms such as Donald Russell, in my constituency? Its business is 98 per cent. exports, 80 per cent. beef, and it is one of the best companies in the world; but it now has no market. What practical steps is the Minister taking to ensure that the ban is lifted, and when does he think that he will achieve that?

Mr. Hogg: I am grateful to the hon. Gentleman for his words of support. I entirely understand and share his distress at the unemployment he sees in his constituency, which results from a development that is in no sense the fault of the companies concerned. It is very hard not to be able to export prime beef of the quality that the hon. Gentleman describes.

The schemes that I have outlined today will assist farmers and producers in the hon. Gentleman's constituency. It is obviously desirable for us to secure the lifting of the ban; it is also desirable for us to secure an exemption that would justify allowing certain classes of herd over the age of 30 months to enter the human food chain. That will be of particular value to the producer referred to by the hon. Gentleman, and we are taking such action.

Sir Peter Emery (Honiton): The House welcomes all the proposals presented by my right hon. and learned Friend, many of which have been well thought out. Will he tell us the total cost, however—he may have to give an estimate—in order to make it clear that, although this action will cost the nation a great deal, the farming industry and those involved in the meat industry will also lose a great deal? Will he confirm that, in this year's tax returns, farmers can value their stock according to the price of the animals in March and April rather than the price at any other time?

Mr. Hogg: Given that my right hon. Friend the Chief Secretary to the Treasury is sitting two places away from me, it might be imprudent for me to perform the calculation that my right hon. Friend the Member for Honiton (Sir P. Emery) invites me to perform. I do not exclude the possibility that I will have to talk to my right hon. Friend the Chief Secretary about some other matter on another occasion, so my right hon. Friend the Member for Honiton can do his own sums—but we are talking about a large amount of public money.

As for the tax point, I think that it should be raised with Treasury Ministers. Important tax questions are involved, and I would rather not trespass on them.

Mr. Andrew Welsh (Angus, East): Why is there no agreed eradication policy one month after the Minister has admitted the failure of his policy? How much longer will we have to wait for the beef specialist measures that he has promised? Is the Minister aware that the TSB report estimates that 8,000 Scottish jobs would be lost with a 25 per cent. downturn in throughput compared with the 40 per cent. downturn that the Minister has admitted? What steps is he taking to ensure that compensation fairly matches the actual losses sustained by farmers and others?

Mr. Hogg: I tried to do that in my statement. I explained in considerable detail what we are doing to help the beef industry, and I also outlined the broad purpose, which is to keep in being those links in the chain whose existence we regard as absolutely vital. I cannot tell the hon. Gentleman that we are in the business of compensating each and every person who has suffered loss. We cannot do that, because it would involve billions of pounds, and I could not justify that in terms of public expenditure.

Sir John Cope (Northavon): My right hon. and learned Friend's statement is welcome. Will he do all he can to speed up the further and better particulars on the long-run scheme for premium beef? It has never been obvious why 30 months was appropriate for much of that beef. My right hon. and learned Friend did not mention the feed merchants. I should be grateful if he could say a word about them.

Mr. Hogg: My right hon. Friend is right to draw attention to the importance of the exemption scheme in respect of specialist herds that are brought to market when they are over the age of 30 months. We shall make what progress we can as speedily as we can. The 30-months term was used by SEAC, and it was the term around which the industry subsequently rallied. Feed merchants were the subject of one of my previous statements, in which I made it plain that we were prohibiting the use of mammalian protein in feedstuffs for all farm animals.

Mr. Harry Barnes (North–East Derbyshire): If there were live tests for BSE, we would begin to crack the

[Mr. Harry Barnes]

problem. As has been asked twice earlier, what urgency and what resources are being put in by the Government to try to get live test details provided?

Mr. Hogg: I recall that the hon. Gentleman was on the Select Committee before which I had the pleasure of appearing.

Mr. Barnes *indicated dissent.*

Mr. Hogg: I am wrong, and I apologise.

The live test is an important instrument of policy. We are striving to get one, and if we can, so much the better. Work is being carried out in various areas, and if we felt that investing more money would lead to a speedier conclusion, in all probability we would do that. However, the advice that I am getting is that progress is being made as rapidly as possible. I am satisfied that that is the case.

Rev. Ian Paisley (North Antrim): The Minister will be aware that the great difficulty in Northern Ireland is blockage. He will know that £25 million-worth of beef is being held in store, and that, until that moves, the chain of cattle being slaughtered cannot move.

Can he assure me that the details under paragraph 14 of his statement were identified and audited under the supervision of Coopers and Lybrand? Will the intervention board be prepared to buy this meat, so that the blockage can be cleared and the cattle that are building up on Northern Ireland farms can be slaughtered and the meat used for consumption? Does the Minister agree that, as Commissioner Fischler thinks that English beef is good, so the whole of Europe should think it is good, and should lift the ban which is at the root of the matter?

Mr. Hogg: I agree: where the commissioner has led, I hope that European Ministers will follow. The blockage in Northern Ireland is causing major concern and my right hon. and learned Friend the Secretary of State for Northern Ireland is much preoccupied by it. I hope that we shall get speedy movement on the blockage. The intervention board will look at applications in April and May for the clearance of blockages in the slaughterhouses.

Mr. Peter Hardy (Wentworth): Does the Minister accept that such recovery as he has noticed is due more to the collapse in price than to any action that is being taken by his Ministry? [HON. MEMBERS: ""Not true."] It was £1 a pound in Staffordshire last Thursday.

Will the Minister look at the incidence of BSE among animals that have never been fed infected materials? I am aware of herds in my constituency where there has never been a case of BSE in those circumstances, whereas there were cases when infected feed was being used. In view of that, is not the right hon. and learned Gentleman's cautious view on culling entirely justified? When can the House be informed about the definitions that will apply to the culling exercise?

Mr. Hogg: The hon. Gentleman is right to say that there has been discounting of prices, although prices in the shops are now recovering. I accept that the situation is patchy, but nevertheless there has been a substantial recovery in prices in the shops.

The hon. Gentleman is also right about the problems associated with selected cows. If we are to deal with them, it is important to do so in respect of only those beasts that we can reasonably say have been exposed to a higher risk of infection. It is possible to do that, but before I go public on our methodology, I would like to test it—together with a whole range of other people—to ensure that it is right.

Dame Elaine Kellett-Bowman (Lancaster): I thank my right hon. and learned Friend for his great efforts in getting the market moving again. If he decides that the collection, weighing and grading of animals may be done only at some centres, will he consider the Lancaster Farmer Auction Mart, which has an out-of-town site, has easy access to the motorway, has the most up-to-date facilities and is next to an abattoir? It is the ideal regional centre for that part of the world.

Mr. Hogg: As I would expect, my hon. Friend is a powerful advocate for a constituency cause. I will pay careful attention, without commitment, to what she has said.

Dr. Norman A. Godman (Greenock and Port Glasgow): Why is the Minister so diffident about raising a legal action at the European Court of Justice? Everyone here knows that Spanish Fisheries Ministers do not share that diffidence. Does he accept that, had he made an early formal statement of his intention to go to the Court in Luxembourg, it would have strengthened his negotiating hand in Brussels and enhanced the British public's confidence in the Government's handling of the issue? If he seeks compensation at the Court, I hope that he will not overlook the plight of those who have already lost their jobs because of this scandalous affair.

Mr. Hogg: During the four or five weeks of the course of this matter, this is the first time I have been accused of being diffident. I have not been diffident about legal action—I have said that we intend to take legal action, and that is what we will do.

Mr. Robert Hicks (South-East Cornwall): I welcome the measures announced by my right hon. and learned Friend, which are designed to restore confidence not only in the beef market, but in the rural economy as a whole. Is he aware that the most urgent decision we now await is to extend the 30-months slaughter period for the specialist beef producer? Does he realise that, in Devon and Cornwall, it is that major concern that has led to the uncertainty over the past two or three weeks?

Mr. Hogg: I have considerable sympathy for my hon. Friend's point. I remind him of the top-up scheme, which will be of some assistance to the specialist herd producers. However, I agree that we need to work at an exemption with a view to agreeing one as speedily as possible. It is an important point.

Mrs. Helen Jackson (Sheffield, Hillsborough): In view of the concern of public and environmental health authorities about the spreading of blood and other animal fragments on agricultural land, will the Minister ensure that the "secure disposal" of the abattoir waste to which he referred will prevent any of it from being spread on

agricultural land as fertiliser in a way that would allow it to get into the food chain—or, even worse, the drinking water supply?

Mr. Hogg: That is an important point, and it is desirable not to confuse two facts. Specified bovine offal—now known as specified bovine material—is not in any circumstances spread on fields; it is destroyed. In the past, blood and gut—which does not contain SBMs—has been spread on fields. So far as we can judge, blood does not retain in it any BSE infectivity. That practice has been discontinued for the moment, and, if there was any desire to recommence it, one would certainly want to take into account the points made by the hon. Lady.

Mr. William Cash (Stafford): Will my hon. Friend reflect on the enthusiasm with which he has received Mr. Fischler's remarks in the past few days? Will he bear in mind the fact that he will of course be taking action against the European Commission in this action in the Court of Justice? Is it not therefore extremely unwise to give the impression that we are somehow supporting the European Commission, when the whole matter has been driven not only by them but by the other member states, producing a situation in which we have ended up with an illegal ban being imposed on the beef and dairy farmers of this country?

Mr. Hogg: My hon. Friend may have misunderstood me, in which case I am sorry; I am sure that the fault is mine. I meant to say that I very much welcomed Commissioner Fischler's statement that British beef is safe. That statement was also made by President Santer, which I welcome. Those statements are wholly right, and have been well made by the Commissioners. We are entitled to rely on those assertions by two leading Commissioners in support of our argument that the action taken by the Commission is illegal, not least because it is disproportionate, having regard to what Commissioner Fischler and President Santer have said.

Business of the House

4.41 pm

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): Madam Speaker, with permission, I should like to make a short business statement.

After discussions through the usual channels, the business for Thursday 18 April will now be as follows:

Second Reading of the Northern Ireland (Entry to Negotiations, etc) Bill. A draft of the Bill is available in the Vote Office.

The business previously announced for that day will be taken on a later occasion.

MONDAY 22 APRIL AND TUESDAY 23 APRIL—Committee and remaining stages of the Northern Ireland (Entry to Negotiations, etc) Bill.

I will announce the business for the remainder of that week in my usual business statement on Thursday.

Mrs. Ann Taylor (Dewsbury): I thank the Leader of the House for that statement and assure him that the Opposition understand the urgency associated with the Bill and generally welcome it as a necessary step towards all-party negotiations on 10 June. However, I am disturbed that the House has not been given proper notice and was not informed before the recess that this business might take place at this time.

The Leader of the House will be aware that, since the Jopling changes, on all occasions I have urged him to give as much notice as possible of future business, even on a provisional basis, on the understanding that some flexibility might be required. On that basis, hon. Members should have had more warning that this business might be slotted in this week.

Although we acknowledge the urgency of this measure, surely this would have been an ideal opportunity for a draft Bill and associated papers to be published earlier, as requested by my hon. Friend the shadow Secretary of State for Northern Ireland, so that all hon. Members could have had at least the Easter recess to consider its provisions. As there is general support for this measure among hon. Members and a genuine desire to get the legislation right, surely the Government could have adopted a more mature approach on this occasion rather than informing them at the last moment.

Will the Leader of the House assure us that proper arrangements will be made so that all hon. Members are able to table amendments—including, if necessary, manuscript amendments—at all stages of the Bill's passage? Can he tell us what the Government intend to do to ensure that all stages of the Bill are completed according to the time scale which he has given us today? Will the Government be moving a timetable motion, or is the Leader of the House proposing an open-ended debate for the Bill's Committee and remaining stages?

Mr. Newton: On the latter point, I should certainly hope that—with the co-operation that the hon. Lady has reaffirmed on behalf of the Opposition, which I understand has been expressed in some other quarters as well—it will be possible to deal with the Bill in the normal way. Were things to go wrong, clearly we would have to consider the position.

[Mr. Newton]

On the question of amendments, of course—as I hope I demonstrated with the Prevention of Terrorism (Additional Powers) Bill shortly before Easter—I will always do anything I can to co-operate in easing practical problems when speedy passage of legislation is required. Specifically, we intend to table a motion allowing for amendments to be tabled before Second Reading, which I understand would be for the convenience of some hon. Members.

On the hon. Lady's earlier comments, the proper course is simply for me to say that I understand why she made them. I hope that she, in turn, will understand that I regard those comments as marginally unfair. In the circumstances in which the Bill was not drafted before Easter, we could not be sure that it would be possible to draft the measure according to a time scale that would permit what she has called for. She will know that, for many weeks, my right hon. and learned Friend the Secretary of State for Northern Ireland and the Minister of State, Northern Ireland Office, my right hon. Friend the Member for Westminster, North (Sir J. Wheeler), have been quite properly engaged in a great deal of consultation with her colleagues and with hon. Members in other parties concerned with Northern Ireland.

Mr. Simon Hughes (Southwark and Bermondsey): I assure the Leader of the House that my right hon. and hon. Friends will co-operate with him to ensure that the Bill proceeds according to the timetable necessary for it to be implemented. May I, however, press him on two matters? First, as the Second Reading will be concluded on Thursday night, may we have an assurance that amendments can be tabled up to the time of the selection of amendments on Tuesday morning so that there is maximum opportunity for hon. Members to table amendments for debate?

I understand the Leader of the House's reservation on the second matter, but—provided the House is willing, if necessary, to sit late through the Committee stage—can we take the necessary time to debate the amendments at Committee and Report stages, without a guillotine if possible, so that no hon. Member feels that this very important piece of legislation is being steamrollered through?

More mischievously, may I say that I hope, for the sake of the Leader of the House, that we do not have more such legislation? Otherwise there will be absolutely nothing left for the Government to get us to do in the remaining year of this Parliament.

Mr. Newton: I think that the hon. Gentleman's latter remarks are a very long way from the truth, but I shall not go further down that path.

On the hon. Gentleman's earlier two points, I cannot add very much to what I said about how we hope that it will be possible for the Bill to progress. I am grateful to him for reaffirming his party's constructive approach to the Bill.

On the selection of amendments, we are once again treading in an area that is for you, Madam Speaker. If I may say so, Madam Speaker, you and the Clerks at the Table demonstrated no less good will than I did, I hope, in facilitating consideration of the Prevention of Terrorism (Additional Powers) Bill.

Mr. William Ross (East Londonderry): As this Bill creates an electoral procedure and a body that can, at its best, charitably be described as "very novel" in the United Kingdom, does the Leader of the House think that it is reasonable that we should be asked to absorb what has been put before us today and to take part in a Second Reading debate by Thursday? Will he assure us that, when we come to the Committee and remaining stages of the Bill next Monday and Tuesday, the House will be prepared to sit late on both nights to give the greatest possible consideration to this novel procedure—so that we can meet the time scale for this Bill laid down by the IRA?

Mr. Newton: I cannot add to what I have already said about how I hope that the House will be prepared to deal with the Bill. I should be sad if the hon. Gentleman felt this way; but if he does feel that he is being asked to do something unreasonable, I have no doubt that he will find ways to make that clear. However, I hope that he will acknowledge that my right hon. and learned Friend the Secretary of State for Northern Ireland has gone to considerable lengths to try to carry people with him after it was plain that not all of them could get everything that they wanted. That has involved a good deal of careful discussion with the hon. Gentleman and his colleagues.

Rev. Ian Paisley (North Antrim): Is not it right that the Bill has to be rushed through because two Governments decided that the deadline, to please the Irish Republican Army, would be 10 May? Is that not why we have to pass the Bill with such speed? Taking into account what the hon. Member for East Londonderry (Mr. Ross) said, is it not the case that, if there is to be a timetable motion, we shall be examining without full debate a procedure to elect people whose parties have been defeated in the election? Therefore, some parties that could not win a seat under the procedures set out in the Bill will at least get two seats if they are within the first 10. That is a most novel way to get people to a forum or to discussions. Surely something with such constitutional implications should have time to be discussed fully.

Mr. Newton: You may perhaps agree, Madam Speaker, that the hon. Gentleman is tempting me to discuss the Bill rather than its handling. Against the background of the determination of my right hon. and learned Friend and, indeed, the whole Government—although perhaps not in the terms that the hon. Gentleman used—to get negotiations started on 10 June, which led to the timetable that I set out, the provision of three full days to debate the Bill is neither unreasonable nor ungenerous.

Mr. Tony Banks (Newham, North–West): I must register my disappointment that the Channel Tunnel Rail Link Bill, which was to have been debated on Thursday, is to be postponed. Can the Leader of the House give us any information on when its remaining stages will be dealt with?

Can the right hon. Gentleman also help me with regard to the business for Friday 19 April? I see from my Whip that we are to debate the remaining stages of the

"Prisoners' Earrings Bill"; is that a Government measure to brighten up our overcrowded prisons or a new method of restraint to stop our prisoners escaping?

Mr. Newton: I cannot help the hon. Gentleman with his earrings problem, but I shall see what intelligence I can secure for him. As for the first part of his question—I have forgotten what it was.

Mr. Banks: The Channel Tunnel Rail Link Bill.

Mr. Newton: Oh, yes. I cannot at present tell him exactly what day it will be dealt with, but we shall not be looking to delay it any longer than we have to.

Dr. Norman A. Godman (Greenock and Port Glasgow): Has the Leader of the House overlooked the fact that the Scottish Grand Committee is meeting in Inverness on Monday? May I remind him that many Scottish Members have a deep and abiding interest in matters relating to Northern Ireland? Is the meeting in Inverness to be postponed? If not, why were Tuesday and Wednesday of next week not selected to debate such an important Bill?

Mr. Newton: The proposed arrangements for the passage of the Bill also have to take account of the need for it to be discussed in another place and the need for secondary legislation to follow it before the processes leading to the election—and, therefore, the negotiations—can be put in place.

Mr. Alex Salmond (Banff and Buchan): That was a very poor reply about accommodating Scottish business, but I want the Leader of the House to think about the displaced business, given the urgency of the new business for next week, which I understand. He will have noted from the response to the previous statement that hon. Members of all parties—Members whose constituencies are probably experiencing hundreds of job losses—have considerable interest in having another debate on bovine spongiform encephalopathy. If we have such a debate—perhaps the Leader of the House can specify when it will occur—will he make arrangements for the Secretary of State for Scotland to participate in it, given his inactivity during a crisis which has such a strong Scottish dimension?

Mr. Newton: For a long time, I have shown that I am not unmindful of the needs of Scottish business and that I look carefully at requests such as that which the hon. Gentleman has made. Having seen my right hon. Friend the Secretary of State for Scotland in action, I reject out of hand any suggestion that he has not been vigorously involved in the effort to find solutions to some of the problems arising from the beef crisis.

NEW MEMBER

The following Member took and subscribed the Oath:

Brian David Jenkins Esq., for South-East Staffordshire.

Vaccine Damage Payments (Amendment)

4.56 pm

Mr. Richard Burden (Birmingham, Northfield): I beg to move,

That leave be given to bring in a Bill to provide for a review of the operation of, and make amendments to, the Vaccine Damage Payments Act 1979.

I, too, welcome my hon. Friend the Member for South-East Staffordshire (Mr. Jenkins).

I am grateful for this opportunity to bring to the House's attention injustices being created by the operation of the Vaccine Damage Payments Act 1979 and to propose what I hope the House will agree is a sensible suggestion for its review.

I must make it clear that I support vaccination. I recognise the huge contribution to the nation's health made by mass immunisation. The benefits of immunisation clearly and definitely outweigh the risks, but the risks are real enough for the small minority of children who are damaged every year following an adverse reaction to routine vaccinations administered as part of the Government's public health programme.

In the 1970s, the then Prime Minister—now Lord Callaghan—recognised how important it was to confidence in the vaccination programme that public anxiety about vaccine-damaged children be addressed. In 1978, therefore, the Pearson commission on civil liability and compensation for personal injury recommended a weekly disability benefit for all severely disabled children

"irrespective of cause of disablement".

It added:

"the Government or local authority concerned should be strictly liable in tort for severe damages suffered by anyone (adult or child) as a result of vaccination which has been recommended in the interests of the community".

The Vaccine Damage Payments Act 1979 was introduced as a temporary measure, but, 17 years on, still far too many families are being provided with little or no compensation because of the failure to update that inadequate legislation. Indeed, it is hard to find anyone who believes that the Act is working fairly and effectively in its present form.

The problems with the Act were first brought to my attention by my constituent, Mrs. Olivia Price, whose baby daughter Melissa was vaccinated in 1976. She believed that the vaccinations would provide her child with vital protection against debilitating diseases in the years to come so, as a caring mother would, she agreed to them. After vaccination, however, Melissa suffered fainting spells, spasms and various behavioural problems. Mrs. Price's worries were initially dismissed as those of a "fussy mother", but medical reports show that vaccination was indeed the cause of the brain damage that has denied Melissa the chance of a normal life. In 1979, Olivia Price applied for a vaccine damage payment and received a one-off payment of £10,000, which was available at the time.

Later awards to families increased to £20,000, and subsequently, to £30,000 in 1991. Such awards remain woefully inadequate for the care of a severely disabled child for the rest of his or her life. What is more, they are paltry compared with what victims of medical accidents may receive in court and with what victims of vaccine damage may receive in other countries.

[Mr. Richard Burden]

In the United States, for example, the National Childhood Vaccine Injury Act 1986 paid out $74 million to just 145 families in its first four years under a scheme funded by a combination of tax on the sale of vaccines and money from Congress. In Japan, the courts have made large compensation awards to families of people who died or have been permanently damaged. In Ireland, a £2.75 million award was made to Kenneth Best, who was brain damaged by whooping cough vaccine.

Mrs. Price has obtained legal aid to try to secure compensation by proving negligence through the courts. I wish her well in that, but I do not think that she should have to jump through such hoops to get the support that she and Melissa need. The Government's treatment of Melissa falls far short of what the Pearson commission saw as reasonable recompense for children in her position and, more important, the principle of equal treatment for disabled people that lay behind its recommendations.

The inadequate level of payments is only one of the three main problems associated with the Vaccine Damage Payments Act that require review. The Act also contains an illogical rule that denies children who are said to be less than 80 per cent. disabled any assistance whatever. That rule has, for example, prevented Edward, who lives in Crawley, from getting any payment, even though he was left badly paralysed, with one leg considerably shorter than the other, following a reaction to a polio vaccination in 1986.

A further problem with the Act is that there is a six-year time limit in which claims must be made. That has excluded some families from even having their claims investigated. That is particularly unfair since the Government took very few steps initially to inform parents, and failed to provide doctors and social workers with the information that they need to make parents aware of their rights. New research suggests that the six-year rule is even more unjust, since it appears that measles vaccine virus can cause inflammatory bowel disease, which shows up some years after vaccination.

The result of all that is that three quarters of all claims have been rejected. Up to 31 March 1995, only 876 of the 3,667 claims have resulted in an award under the Vaccine Damage Payments Act—210 of those fell foul of the time limit and 569 were refused for medical reasons associated with the 80 per cent. rule. Not only are we failing to deliver justice in the interests of our national health to those who suffer, but in doing so we are potentially undermining a vital public health programme.

The Government spend large sums on promoting their vaccination programme. A doctor vaccinating 90 per cent. of children under the age of two on his or her list even gets an incentive bonus in excess of £2,000. Moreover, in 1994, £3.5 million was spent on a campaign to promote a single vaccination for measles and rubella—four and a half times the amount paid to victims of vaccinations since 1987.

Such promotions pay great dividends. The World Health Organisation estimates that the global saving from eliminating polio will be about $3 billion by 2015. That is a vast saving. In part at least, it has been paid for by the victims of vaccine damage. Surely, as part of that effort to eliminate disease, it is not unreasonable to allocate some of those savings to proper provision for children who suffer damage.

Vaccine manufacturers have also reaped substantial benefits from the immunisation programme. Companies such as Glaxo Wellcome plc and SmithKline Beecham plc each year make millions of pounds of profit. Could such companies not contribute towards a fund to compensate the tiny minority who suffer as a result of being administered the vaccine that they supply?

The review of the Act that my Bill recommends should examine compensation levels, investigate the provision of a fixed sum for those who are less than 80 per cent. disabled, ensure that claims that have been rejected are properly investigated and ensure that payment should not be refused because of unrealistic time limits. The problem of vaccine damage has been ignored for far too long; it now requires action. An early-day motion that I tabled almost two years ago was supported by more than 200 hon. Members. A further motion, which I have tabled today, looks likely to gain even greater support. It is clear that hon. Members from all parties want action in support of vaccine damaged children, and the House now has a chance to do something about it.

Question put and agreed to.

Bill ordered to be brought in by Mr. Richard Burden, Mr. Roger Berry, Sir Patrick Cormack, Mrs. Margaret Ewing, Dr. Norman A. Godman, Mr. Nigel Griffiths, Mrs. Helen Jackson, Mr. Andrew Mackinlay, Mrs. Diana Maddock, Ms Rachel Squire, Sir Teddy Taylor and Mr. Dafydd Wigley.

VACCINE DAMAGE PAYMENTS (AMENDMENT)

Mr. Richard Burden accordingly presented a Bill to provide for a review of the operation of, and make amendments to, the Vaccine Damage Payments Act 1979: And the same was read the First time; and ordered to be read a Second time upon Friday 10 May and to be printed. [Bill 104.]

Orders of the Day

Broadcasting Bill *[Lords]*

Order for Second Reading read.

Mr. Deputy Speaker (Mr. Michael Morris): Before I call the Secretary of State for National Heritage, I have two announcements to make. First, Madam Speaker has selected the amendment in the name of the Leader of the Opposition, and secondly, all Back-Bench speeches will have to be restricted to 10 minutes.

5.5 pm

The Secretary of State for National Heritage (Mrs. Virginia Bottomley): I beg to move, That the Bill be now read a Second time.

We stand on the verge of a new broadcasting revolution even more significant than the change from black and white to colour television. Digital technology has the potential to bring new and different services to viewers. It can bring more income to the broadcasting industry and more jobs across the country. Digital television offers improvements in picture quality, increased potential for wide-screen broadcasts, interactive television, more subscription services and, above all, many more channels and greater choice. The Bill will give British industry the chance to lead the world into the digital age.

We already have a broadcasting industry that is admired and envied by other nations. Our programmes are sold to broadcasters all over the world, and once digital television is up and running the domestic and international market should grow considerably. That will mean more jobs for the UK at every stage in the broadcasting chain—from the manufacture of television sets to the production of programmes. The worldwide move to digital technology means a worldwide demand for programmes and equipment, which the UK is already well placed to supply.

The media is an industry unlike any other. It informs, influences and engenders public opinion and debate. Debate and discussion over the airwaves has become a central feature of our culture and way of life. In an advanced democracy such as ours, it is important that there are as many voices competing for the attentions of the nation's viewers and listeners as possible. By international standards, this country already has one of the most liberal media ownership regimes. The Bill provides substantial further liberalisation to enable media businesses to grow and operate more flexibly in an ever more competitive world. We need, however, to retain essential safeguards on plurality of ownership which go beyond the backstop provided by general competition legislation. The special protection provided to broadcasting reflects its influence and importance over people's lives.

The Bill is based on three key principles. We must safeguard plurality of ownership and diversity of voice—the lifeblood of a successful and vibrant media industry. We want to foster the competitiveness of the UK broadcasting industry. We lead the world in digital technology, we are a net exporter of television sets and we are the largest exporter of television programmes after the United States. The Bill will enable us to remain at the forefront of the global information revolution. We are determined to maintain broadcasting standards in the digital age.

Mr. David Alton (Liverpool, Mossley Hill): On standards and the culture of violence that has been created as a result of, in particular, Hollywood-style programmes being broadcast so much over our airwaves—400 killings are broadcast each week on British television—does the Secretary of State think that digital technology provides an opportunity to introduce the V-chip, as has already happened in the United States and Canada? Does she agree that harmonisation with those countries, and with the decision taken by the European Parliament on the same subject, should be dealt with under the Bill? Will she take the opportunity of repudiating the article in the *Financial Times* that suggested that she would be hostile to such an amendment to the Bill?

Mrs. Bottomley: I think that the hon. Gentleman knows that I share his concerns about the effect of television violence, especially on children. I believe that it is right to explore the options offered by the V-chip, albeit that the technology is at an early stage and that there would be all sorts of complications associated with introducing it in practice. I shall certainly not dismiss it as an option until the idea has been explored.

Undoubtedly we should use the opportunity provided by the Bill and all the other mechanisms at our disposal to ensure that as we move towards the great expansion of television—digital, satellite, cable and terrestrial—it does not result in endless violence coming through on our screens, which would damage our young people. I make it clear that we want to uphold our unique tradition of public service broadcasting, and that we shall not relax our controls that prevent the broadcasting of violent or otherwise offensive material.

The Bill will have far-reaching effects on the industry.

Ms Angela Eagle (Wallasey): If, as I hope, the right hon. Lady is as concerned as I am to maintain our long tradition of public service broadcasting, why has the Bill nothing to say about quality with regard to the multiplex providers?

Mrs. Bottomley: I am sure that the subject will be debated further in Committee and at other times during the passage of the Bill. We are maintaining the same high criteria for public service broadcasters. As we go for a great expansion in the number of channels, it is important that they should satisfy the criteria, such as that of variety, and the other tests set for them, just as standards are set for cable and satellite broadcasting. We seem to be seeing an example of the Labour party being excessively interventionist and attempting to put extra burdens on a growing industry—in contrast to its change of policy in recent days, about which I shall say more later.

The Bill will have far-reaching effects on the industry; our decisions will touch the lives of every viewer and listener. Last year the Government consulted on major regulatory issues in the industry concerning both media ownership and new digital broadcasting services. We have acted swiftly in introducing the Bill in response to market and technological developments. As the House will be

[Mrs. Bottomley]

aware, when we published the Bill it incorporated improvements resulting from that consultation exercise, which were widely welcomed.

Mr. John Marshall (Hendon, South): My right hon. Friend referred to comments made last year to her. She will remember my suggestion that Capital Gold AM, London's second most popular radio channel, should be allowed to move to an FM frequency. Will she now say something about that proposal, which is reported in the *Financial Times* today?

Mrs. Bottomley: I know that my hon. Friend keeps a close watch on that topic. Indeed, it was extensively debated in another place. The Government accept that there is a strong case for change, and we shall announce our conclusions in time for the debates in Committee.

In publishing the Bill I announced that, in response to earlier consultations on those vital issues, in future all existing terrestrial broadcasters would be able to provide extra digital channels, and that companies operating multiplexes—the means by which digital programmes are transmitted—would not be required to bid for their operating licences, nor to pay money to the Exchequer, for the first 12-year licence period.

I also announced that the two-licence limit on the control of ITV licences would be removed, and that the Independent Television Commission would be given new powers to protect regional programming. In addition, local newspapers would have greater freedom to expand into local radio, and the new Channel 4 funding agreement would allow Channel 4 to invest more in making programmes. All those announcements were made in response to earlier consultation.

Mr. Tim Renton (Mid–Sussex): I realise that the amendments made by the House of Lords substantially changed the original ideas about the Channel 4 funding formula, and I welcome that. However, while the funding formula is, rightly, being maintained, would it not be a good thing if my right hon. Friend announced that she intended to make an order regarding the balance of the funding for Channel 4—for 1998-99, for example—fairly soon after the Bill received Royal Assent? Otherwise there would be continual lobbying from channel 3 and Channel 4 on the issue. A quicker certainty would be a good thing.

Mrs. Bottomley: My right hon. Friend will, however, be aware that we live at a time of great change in that sector; in my view, to anticipate the precise balance of Channel 4 funding at this stage would be premature, but I have noted his comments. We have sought to reduce uncertainty both for Channel 4 and for the channel 3 companies, but we do not believe that at this stage it would be appropriate to go further.

Sir David Steel (Tweeddale, Ettrick and Lauderdale): The Secretary of State will know that, as a director of Border Television, one of the smaller ITV companies, I have an obvious interest to declare. Will she guarantee that the extra money that Channel 4 will derive from the measures will be allocated to United Kingdom production, and will not be used as a means of buying production in the United States?

Mrs. Bottomley: The right hon. Gentleman makes a strong point. I cannot give him any assurance on that matter at the moment, but I have noted his point, and I expect that Channel 4 will also have noted it.

Mr. Keith Mans (Wyre): Does my right hon. Friend agree that at least some Conservative Members are worried about the concessions already made to Channel 4, bearing in mind the fact that it has changed in nature since it was founded, and is accountable neither to shareholders nor to licence fee payers?

Mrs. Bottomley: Once again, I think that my hon. Friend is addressing his comments not only to me but to Channel 4 itself. The arguments on that matter are a balance between the different television companies. My experience suggests that normally there are merits in most of their arguments, but that there is usually another side of the case too.

Mr. Gerald Kaufman (Manchester, Gorton): Is it not a fact that as the right hon. Lady has responded to questions from right hon. and hon. Members on both sides of the House, the situation, far from becoming clearer, has become less clear? When the Select Committee on National Heritage recommended the abandonment of the ludicrous Channel 4 funding formula, whereby hugely rich organisations such as Granada were subsidised by Channel 4, the Government turned our proposition down outright.

Now the Government are edging towards accepting that proposition, but in a way that makes the situation more rather than less unclear. Will the right hon. Lady tidy the situation up, say that she will accept the Select Committee's recommendation, and get the mess out of the way once and for all?

Mrs. Bottomley: I am deeply intimidated by the right hon. Gentleman; the Select Committee has indeed had a great influence on many areas for which I now have responsibility. I hope to say a little more about the Channel 4 funding formula later. However, I do not yet feel able to say that I entirely acquiesce in the Select Committee's recommendation.

Several hon. Members *rose—*

Mrs. Bottomley: I shall take an intervention from the hon. Member for Vauxhall (Miss Hoey), and then I hope to get on with my speech.

Miss Kate Hoey (Vauxhall): Does the Secretary of State agree that substantial concessions have already been given to Channel 4 in another place, and that it would be silly for anything else concerning Channel 4 and its funding to be put into the Bill before we see, for example, the effects of Channel 5, and the real effects of any funding change on regional programming?

Mrs. Bottomley: Yes.

Dr. Keith Hampson (Leeds, North–West): Will my right hon. Friend give way?

Mrs. Bottomley: I think that I must press on; I hope that my hon. Friend will bear with me. I shall be more

than happy to give way again later. All these interventions will make the House aware what it is like to be Secretary of State for National Heritage; the issues are so finely balanced between the different interests.

Debates on the Bill in another place were conducted largely in a thoughtful and constructive spirit. In piloting the Bill so ably through, my noble Friend Lord Inglewood continued to respond to sensible and practical proposals for change, while holding fast to the principles that underpin our proposals.

We have introduced an overarching criterion for granting multiplex licences so that the regulators must, above and beyond the criteria already laid down in the Bill, judge which applicant will do most to promote the development of digital broadcasting. We have removed the ownership controls on cable operators in recognition of the fact that they provide first and foremost a means of programme delivery rather than programme services.

We have introduced a new category of restricted service television licence which will allow specialist and community broadcasters to run services. We have enabled existing independent national radio licensees to roll their licences for one eight-year period if they take up their guaranteed digital broadcasting places. We have listened to and acted on the concern expressed about the availability of sports rights by preventing listed events from being shown exclusively on subscription television.

Although our main proposals have been generally welcomed by the key players in the industry, my preoccupation is to respect and protect the interests of consumers. I hope that participants in debates in this House will approach the issues from the standpoint of the needs and desires of viewers and listeners rather than just the special pleading of vested interests.

Parts I and II of the Bill deal with digital terrestrial broadcasting. Under the terms of existing legislation, it is already possible for the operators of cable and satellite television services to go digital if they wish and to provide viewers with scores of channels. What is currently not possible in law is digital terrestrial broadcasting. The Bill will enable companies to transmit terrestrial television signals in a digital format for the first time. The frequencies that we are allocating to digital terrestrial services will allow for at least 18—and probably more—channels to be received by viewers.

Digital terrestrial services can use existing aerials and will not require the installation of dishes or of underground cabling. The television industry will be able to take advantage of the comprehensive terrestrial broadcasting structure that is already in place, with a network of transmitters well suited to regional broadcasting.

Our proposals for digital television will preserve the United Kingdom's internationally renowned tradition of public service broadcasting. We recognise the immense contribution the existing terrestrial channels make to our national life. They will, therefore, be offered guaranteed capacity on multiplexes. That also makes economic sense because their involvement in digital terrestrial broadcasting will be crucial to attracting viewers. The existing public service broadcasters will still have to meet the quality programming requirements and quality thresholds about which I have already spoken, thus setting a benchmark for broadcasting standards in the digital future.

Mr. Tony Banks (Newham, North–West): I give way to the Secretary of State—[*Laughter.*]

Mrs. Bottomley: We all know our place when the hon. Member for Newham, North–West (Mr. Banks) is around.

Mr. Banks: Perhaps, one day, I shall give way to the then ex-Secretary of State for National Heritage. However, I am grateful to her for giving way to me on this occasion.

Where does the word "quality" in respect of digital terrestrial services appear in the Bill? We know that digital will take over from analogue, perhaps in 15 years' time. Where is the word "quality" and will the Independent Television Commission be required to enforce quality standards?

Mrs. Bottomley: In explaining to the House that the existing terrestrial broadcasters will be offered a guaranteed place on the multiplexes, I have made only too clear the importance we attach to quality and the contribution that those broadcasters will make to the development of digital terrestrial broadcasting. That quality element applies not just to channels 1 to 5, but to Teletext, the existing holder of the public service teletext franchise. I can announce today that Teletext too will be guaranteed capacity sufficient to expand its existing service. We intend to allocate to it 3 per cent. of the capacity on the frequency primarily reserved for channels 3 and 4; that represents more than twice what is needed to reproduce the existing service.

Mr. Ian Bruce (South Dorset): I am most grateful to my right hon. Friend for being so generous to Back Benchers.

I want to make one small point about the guarantee given to the BBC. It seems strange that we insist that the commission gives the BBC space whereas there is nothing to allow the commission to say to the BBC, "Look, you are not using space sensibly." The BBC is hanging on to two different frequencies for Dorset FM and is not providing a local service. That is a dog-in-the-manger attitude. Perhaps we should give extra powers to the commission.

Mrs. Bottomley: My hon. Friend has raised a vital question about Dorset FM, on which I cannot say that I am properly briefed at the moment. However, I promise him that I will thoroughly investigate the circumstances surrounding Dorset FM and see what can be done—immediately on my return to my office. At the moment, I can say only that it is the great quality of the BBC, its ability to provide more services and its huge resources that have been the pressure for us introducing the Bill at an early opportunity. We believe that if we can be in the forefront of the digital revolution, there will be a great advantage for this country. I pay great tribute to the BBC for its work in research and in driving forward these proposals. It would not be fair to associate the BBC generally with the character, whatever it may be, of Dorset FM.

The introduction of digital television will enable many new commercial stations to enter the terrestrial broadcasting market. New entrants should be free to pioneer services and to respond to the standards demanded by the viewing and listening public. We want to give those who invest in digital terrestrial television every chance to succeed. Viewers have benefited and jobs

[Mrs. Bottomley]

have been created as a consequence of this country attracting new investment, such as that of BSkyB, into the broadcasting industry in recent years. We intend to ensure that many businesses, large and small, domestic and overseas, are able to participate in the new opportunities created by digital terrestrial broadcasting.

The Bill will give the ITC the necessary powers to ensure that a fair and effective market develops. Coupled with our proposals for licensing digital conditional access systems, the Bill frees companies to participate in a flexible, competitive digital television market driven by the demands of consumers.

We want to ensure that, in future, all viewers will still have access to the public service broadcasting on channels 1 to 5, even if they choose to rely on cable rather than terrestrial transmission. My noble Friend Baroness O'Cathain stressed the importance of that point in debates in the other place. We shall, therefore, introduce a Government amendment to require digital cable services to carry channels 1 to 5. That will be welcomed by the House.

The Bill also introduces a regulatory framework for digital radio. We have again provided a framework that balances the interests of the listener and the industry. The result will be more national and local radio stations that give the listener significantly better quality reception. Digital radio, like digital television, offers the customer more choice and improved technical quality. The existing national stations, such as Classic FM, will, like their television counterparts, be offered a guaranteed place on a digital multiplex.

The proposals on media ownership in clause 66 and schedule 2 will allow British media companies to take advantage of technological progress and to expand into new business. At the same time, our proposals will maintain plurality and diversity.

We want UK companies to succeed in the domestic and international marketplace. The new rules relax existing constraints on cross-media holdings, allowing groups to control a mix of newspapers and television and radio licences. The Bill also allows further concentration within broadcasting. It abolishes the limits on the number of channel 3 television and independent radio licences that one company may control and substitutes overall limits of a 15 per cent. share of the total television audience and a 15 per cent. share of the total radio points.

This is a liberalising Bill. In the past, cross-media ownership has been virtually outlawed. There is no common-sense justification for moving at one bound to wholesale deregulation, but we should not set in place a regulatory system for a fully integrated media market that does not yet exist.

Alliances between newspapers and broadcasters will in future be subject to a public interest test. The Independent Television Commission and the Radio Authority will have the power to prevent newspapers and broadcasting licences from being co-owned if they judge it to be against the public interest.

The regulators will base their judgments on three criteria—promoting media plurality and diversity, maintaining a strong industry for the benefit of the country and ensuring the proper operation of markets. Obviously, the ITC and the Radio Authority will be able to seek advice as necessary from the competition authorities on this issue.

Mr. William O'Brien (Normanton): The Secretary of State referred to newspaper groups being involved with radio and newspapers. Will she give me some assurances that regional newspapers will be given the same opportunity as national newspapers, and that regional newspapers will be allowed to make representations during the passage of the Bill to express their concerns to the Secretary of State?

Mrs. Bottomley: I have had many discussions with regional newspapers, on the strength of which I have modified the proposals in the Bill a couple of times already. It remains the case, however, that the Bill is concerned about plurality and diversity, and that, in our opinion, dominant broadcasters and dominant newspapers covering the same territory are not conducive to, or appropriate in, a democracy.

The Bill is a liberalising measure. There are many more opportunities for all those involved in the industry, but it is our view that it is still appropriate to have several additional controls. I understand that the Labour party recently ripped up all the principles it previously stood for, but I shall come to that later.

Mrs. Anne Campbell (Cambridge) *rose—*

Mr. John Redwood (Wokingham) *rose—*

Mrs. Bottomley: I give way to my right hon. Friend the Member for Wokingham (Mr. Redwood)

Mr. Redwood: Does my right hon. Friend recognise that these technologies are coming together rather quickly? How will the market share be calculated for things such as electronic newspapers transmitted through the Internet and through the television and home computer, and what adjustments will be made for the fact that these markets are rapidly becoming global in the English-speaking world?

Mrs. Bottomley: My right hon. Friend is right, but it is not yet possible to regulate the market in its fully developed form, and I believe that this is an appropriate staging post at which we will be significantly liberalising the regime. We will move into allowing far more cross-media ownership, and have put appropriate regulation and controls in place, which were widely welcomed not only by the industry but very much by the Labour party when they were first announced.

Mrs. Anne Campbell *rose—*

Mr. Kaufman *rose—*

Mrs. Bottomley: I shall move on, if I may, because this is a complex Bill. I have a great deal of material to get through and many others wish to speak.

The Bill also prevents groups having 20 per cent. or more of national newspaper circulation from acquiring channel 3 or Channel 5 licences or radio licences or vice versa. This restriction, however, does not apply to the

emerging markets of cable, satellite and digital terrestrial broadcasting. Even the largest newspaper groups therefore have room for expansion under our proposals, but it would not be right for those who dominate the newspaper audience also to control the dominant, established, television or radio broadcasting licences.

The Bill will achieve

"diversity, plurality, quality and the best possible programmes for the viewer and listener. The rules are to make sure that there is not excessive dominance by any one commercial provider."—[*Official Report*, 23 May 1995; Vol. 260, c. 713.]

Those were not my words; they are the words of the hon. Member for Islington, South and Finsbury (Mr. Smith), spoken when we launched our White Paper in May 1995.

The policy that the hon. Member for Islington, South and Finsbury devised appears to have changed since then. I know that some Opposition Members want to give vested interests a higher priority than the interests of viewers and listeners. In October 1995, the Labour party tried to strike a grubby deal with British Telecom, which might have jeopardised the £10 billion investment programme of the cable companies. Now Labour is at it again, trying to rig the regulations.

In a recent *Sunday Times* article, the hon. Member for Kirkcaldy (Dr. Moonie) said he favoured removing restrictions on concentration of ownership because

"the whole point is to ensure the creation of bigger companies"

that "can compete abroad". His policy is to allow companies to take more of the market, even if that removes plurality of ownership and undermines people's choice. I am not certain whether he speaks for the whole Labour party, but if he does these proposals are as ill thought through as they are opportunist.

In the words of Mr. Paul Foot—*[Laughter.]* I quite understand why Labour Members do not want to hear what he had to say. He said that the policy

"stinks of ... back-scratching sleaze."

Opportunism is what new Labour is all about. Only a month ago, the hon. Member for Hartlepool (Mr. Mandelson) went on television to threaten newspaper groups with increased regulation unless they gave Labour an easy ride at the general election.

The right hon. Member for Copeland (Dr. Cunningham) has had plenty of opportunities to explain which policy is official party policy, but we have had only flannel. Do any of the hon. Members whose words I have quoted speak for the Labour party? Or does the right hon. Member for Copeland have yet another view? Like the hon. Member for Newham, North–West (Mr. Banks) on the radio this morning, we shall be very interested to know what is going on. Or perhaps the hon. Member for Stoke-on-Trent, Central (Mr. Fisher) has washed his hands of this issue, just as he has washed his hands, it seems, of the Elgin marbles.

Mr. Robert G. Hughes (Harrow, West): Or lost his marbles.

Mrs. Bottomley: That must be right. I appreciate that.

Or perhaps the hon. Member for Birmingham, Ladywood (Ms Short) could lift another veil from Labour's plans.

In this place and in Committee, my hon. Friends will be relentless in exposing cosy deals that the Labour party dreams up to please its friends.

The thresholds set out in the Bill provide a clear set of ground rules. At no point have our proposals been devised with any intention to attack or penalise the *Daily Mirror*, News International or any other specific newspaper group. They are there to protect the public.

Diversity of voice is needed, not only at the national level but in the regions and localities of the United Kingdom—the point the hon. Member for Normanton (Mr. O'Brien) made a moment ago. The Bill therefore retains controls designed to prevent local or regional monopolies.

Mr. Kaufman *rose—*

Mrs. Bottomley: If the hon. Gentleman will forgive me, I do not want to give way because I have given way at length.

The Bill prevents dominant local newspapers from dominating local radio or owning a channel 3 licence in the same area. If a national newspaper substantially differentiates its local or regional editions, the regulator will treat these as local papers and they will be brought within the scope of those controls.

As a consequence of our consultation—this is the point I made earlier and have made several times to my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler)—we have already relaxed the local newspaper ownership threshold at which companies would not be allowed to own a radio station in the same area. The threshold has been raised from 20 per cent. to 50 per cent., but we remain concerned not to allow one company to own all the radio, television and newspapers in one town or region. Reciprocal restrictions will prevent local broadcasters from establishing dominant local newspaper interests.

If a channel 3 television licence changes hands, clause 67 would allow the ITC to hold the new owner to the standards, range and regional content in programming that the current licensee was achieving. That directly protects the regional flavour of programming, which is such a valuable feature of ITV—a point that has been made by several hon. Members in the debate in recent weeks.

We shall go further than that. We propose to clarify the definition of various provisions and terms used in clause 67. We want to help the ITC to implement provision and to prevent companies from avoiding the spirit of the legislation, so we propose to require the ITC not to approve amended channel 3 networking arrangements if the regional programming of smaller ITV companies would be threatened.

Part III of the Bill amends the funding arrangements for the Welsh fourth channel—S4C. The current funding formula is based on the vagaries of the television advertising market. Under clause 68, the Government's annual payment to S4C will be the January 1997 payment made under the old formula, uprated annually like the BBC's licence fee—in line with the retail prices index. The new arrangements will make the future public funding streams for S4C more predictable. That should benefit both S4C and the Government. We shall also introduce measures to allow S4C to operate digital commercial services, like the BBC.

Clause 70 amends the funding formula for Channel 4. Under that formula, an income of a certain level for Channel 4 is underwritten by the channel 3 companies,

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but they in return receive payments from Channel 4 when, as in recent years, Channel 4's income exceeds that level—a number of hon. Members have already referred to that. As I have made clear, the Government want to retain the formula as an insurance policy to guarantee Channel 4's security as a quality public service broadcaster. But we want to operate it flexibly to react to the changing circumstances of the broadcasting marketplace. Accordingly, as I made clear earlier, the Bill provides an order-making power to alter the distribution of Channel 4's excess revenues above the statutory threshold. We have already announced our intention to use that power in Channel 4's favour—first by ending Channel 4's payments into its statutory reserve fund as soon as possible and, secondly, by reducing the payments from Channel 4 to the channel 3 companies. That reduction will take effect in two stages, from 1998 and 1999, but we believe that it is neither necessary nor sensible to decide now the exact changes that we will seek to make to those payments. They will, however, be of a scale to provide Channel 4 with significant additional resources to invest in UK production.

The House will be aware that in another place there were lengthy deliberations on the subject of sports rights. I am pleased that part IV of the Bill guarantees the availability of live coverage of listed sporting events for terrestrial free-to-air television. It allows subscription or pay-per-view channels to broadcast live coverage of listed events only if rights are also made available to a terrestrial service. Equally, a terrestrial service will not be permitted to broadcast live coverage of a listed event unless rights are similarly made available to a subscription or pay-per-view service.

Mr. Bruce Grocott (The Wrekin): How can the Secretary of State say that she is pleased about that when, as recently as last December, she and her Ministers were insisting that there was no need for any further controls or regulations and that the whole thing could be left to the so-called free market? Is it not plain to everyone that she made a change only because she was forced to do so by a parliamentary vote and that the availability of sport on television to most of our constituents is not safe in the Government's hands?

Mrs. Bottomley: The hon. Gentleman's remarks have little relevance. There has been detailed consultation on the Bill and the options have been examined at each stage. In the same way as we issued a consultation document on ownership and digital broadcasting, it was also appropriate to produce a detailed consultation document before taking permanent decisions. The House will be aware of the complexity of the issue.

Mr. Joseph Ashton (Bassetlaw): While understanding the morality of what my hon. Friend the Member for The Wrekin (Mr. Grocott) said, and his motives, surely if events are open to everyone an unofficial cartel could be formed to offer a minimum price for events such as the cup final. Where is the referee or regulator to ensure that the teams and clubs playing in the cup final can say, "It is not fair; we are not being given a fair price and therefore do not think that we should go on television"? Where is the referee?

Mrs. Bottomley: The complexity of the issue has become clear to a far wider audience in recent months. A great deal of money is going to sporting organisations as a result of the sale of rights and the rights holders feel strongly about that. *[Interruption.]* I take issue with the hon. Member for Glasgow, Cathcart (Mr. Maxton)—many of the organisations are now involved in a number of activities, encouraging more and more young people to take up sport. Our stadiums are of a high standard. As we go football crazy in the summer with Euro 96—the biggest sporting event for 30 years—many of us will be aware that the extra income stream has been of benefit.

At the same time, as the hon. Gentleman says, the public are concerned about being able to see more sport, albeit that the amount of sport has dramatically increased. That is why the House will eagerly look forward to the voluntary code of conduct being drawn up by the Sports Council which considers precisely those issues and examines the matters that should be taken into consideration when sports rights holders want to do the right thing for sport in its widest sense.

Mr. Nigel Evans (Ribble Valley): A number of us had reservations about the pay-per-view £10 that subscribers were asked to pay for the Bruno-Tyson fight. But having said that, Sky has been knocked right, left and centre. Will my right hon. Friend pay tribute to the fact that Sky Sports shows more than 10,000 hours of sport compared with the BBC's 1,500 hours? Credit should be given credit where it is due.

Mrs. Bottomley: I pay that credit where it is due—much more sport is now available on television.

Part V of the Bill merges the existing Broadcasting Standards Council and the Broadcasting Complaints Commission. A new body, the Broadcasting Standards Commission, will combine the remits of the two existing bodies, creating a single focus for public concerns about taste and decency and the portrayal of violence. It will also be involved in questions of unfair treatment and unwarranted infringement of privacy by broadcasters. For the first time, the new body will be given the power to commission research into issues of unfair treatment and the infringement of privacy. That power will be in addition to its power to commission research into standards in broadcasting which has, until now, been commissioned by the existing Broadcasting Standards Council. To reinforce the BSC's authority, the Bill requires broadcasting and regulatory bodies to record any action that they take following a complaint to the commission. That information will be published in the Commission's regular complaints reports.

The new commission is an advisory and adjudicating body. It will build on the influence of its predecessors, but it is the broadcasting regulatory bodies—the Independent Television Commission, the Radio Authority and the Welsh Authority—that are directly responsible for ensuring that programmes meet standards of taste and decency and do not contain material that is offensive to public feeling. The new BBC royal charter and agreement set out similar responsibilities to be met by the corporation, and more clearly identify the governors' specific obligations on those questions.

Sir John Gorst (Hendon, North): In the past three quarters of an hour that my right hon. Friend has been on

her feet she has mentioned plurality, diversity, quality and liberality, but the one word that she has not mentioned—perhaps she is about to come to it in the next section of her speech—is impartiality. Is she satisfied that the licensing arrangements that she is outlining are adequate in terms of impartiality in the BBC? Has she given thought to the appointment of a particular governor with special responsibility for impartiality?

Mrs. Bottomley: My hon. Friend speaks for many when he identifies the profound concern that is felt and the fact that the BBC's reputation rests on its reputation for impartiality. I welcome the statement of the retiring chairman of the BBC, Duke Hussey, that that was a vital element for the BBC, and the comments of the incoming chairman, Sir Christopher Bland, who once again spelt out the importance of that issue. In the statement of pledges—which is required under the royal charter and agreement—the first pledge involves impartiality. The BBC will shortly produce its first document under that heading and I know that my hon. Friend and other hon. Members will want to scrutinise it carefully. The charter and agreement spell out very clearly the governors' duties as regulators—including, above all, ensuring that there is impartiality and confidence in the process. My hon. Friend the Member for Hendon, North (Sir J. Gorst) will be aware of some of the steps that we have taken already to establish a separate line of complaint for those who are not satisfied. I believe that my hon. Friend will be further reassured on that front when he sees the statement of pledges.

I have referred already to the technical prowess and the enviable overall quality of broadcasting in this country. The United Kingdom is notable also for its seriousness in maintaining standards of fairness, taste and decency in broadcasting. I believe that developments in the digital world will reinforce those important principles for which British broadcasting is valued around the world.

Part IV of the Bill contains provisions ancillary to the BBC's privatisation of its transmission network. The Government support the privatisation of BBC transmission services, which will provide the corporation with new funds to invest in digital television. I notice that the amendment standing in the name of the Leader of the Opposition regrets that privatisation. Are we to understand that beneath that amendment there is a policy—or perhaps that is too much to ask—to renationalise the BBC's transmission network?

Without those funds, money would have to be diverted from programme making so that the corporation could make the necessary investment in digital television. Would the Opposition deprive viewers and listeners of programmes rather than support an imaginative use of public assets in the public interest? Substantial investment by the BBC in digital broadcasting will be a catalyst for commercial broadcasters' involvement and an incentive for the more rapid development of digital services. The Bill also provides that BBC commercial broadcasting services—as opposed to those funded by the licence fee—are regulated by the ITC and the Radio Authority, like other commercial broadcasting services.

We intend to propose a number of amendments to the Bill in Committee—many in response to issues raised in the debates in another place. We shall introduce amendments to the public interest test for newspapers acquiring broadcasting interests. They will clarify that the test is not retrospective and does not apply continuously, and they will also permit the application of the test where a national paper starts a local paper in an area where it has acquired broadcasting interests.

In close consultation with the broadcasting regulators, we shall make proposals to strengthen further the definition of control—effectively outlawing arrangements that are designed to circumvent the ownership rules. We shall also announce our proposals for regulating shareholdings in broadcasters which fall short of control.

During the debate in the other place, concern was expressed about news provision on channel 3. We shall introduce an amendment making it clear that the one company selected by the ITV companies from an approved list compiled by the ITC will be the sole provider of channel 3 news. It need not provide it indefinitely—nor does it necessarily have to be ITN, the current provider—but a single source will provide proper competition for the BBC and a nationwide service of national and international news.

We shall fulfil our commitment to allow independent local radio licensees who take a place on a digital radio multiplex to extend their licences for a further eight-year term. We also propose to allow existing independent local radio licences to be renewed without a further bidding process when no other operator expresses an interest. We shall strengthen the ITC's powers to deal with foreign satellite broadcasting applicants, ensuring in particular that licence applicants are not serving the interests of political bodies.

In the light of a great expansion in the number of channels and in opportunities, we shall not allow the United Kingdom to become a base from which terrorist or propagandist organisations can broadcast overseas. We shall propose amendments to the existing licence application process to safeguard Britain's good name as a country with a responsible broadcasting regulation regime.

I shall also mention briefly our plans for reviewing the progress of digital broadcasting, thereby setting a time scale for the transition from analogue to digital reception. That will occur five years after the first multiplex licences are awarded—or earlier if the take-up of digital television merits it. We shall put that on the face of the Bill. However, we shall not bow to pressure exerted by the Opposition to set a date now for switch-off. We are not prepared to coerce viewers into accepting digital television regardless of their personal choices.

In its craven desire to appease the industry, the Labour party would stop those least able to afford a digital television seeing any television. The Conservative principle of customer choice has been a constant feature of our broadcasting policies for all the years that I have been in this place. Customer choice will determine the success or otherwise of digital terrestrial television, in the same way as customer choice determined the format of satellite television soon after the passage of the Broadcasting Act 1990.

By contrast, the apology of an amendment standing in the name of the Leader of the Opposition is a wish list inspired only by Labour's desperation to placate vested interests. On cross-media ownership, the Opposition have lurched from a paranoid terror of large media groups to sycophantic devotion to them. No doubt Opposition Back Benchers are as astonished as their friends in the Campaign for Press and Broadcasting Freedom by the

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latest U-turn. Perhaps Opposition Front Benchers will answer the questions posed by the hon. Member for Islington, South and Finsbury when speaking for the Opposition only last year. He said:

"If national newspaper companies with a national focus and interests seek to take over regional ITV stations, will there not be a serious danger of harming the regional character of those stations? . . . May we also have an assurance that the normal operation of competition policy through the Monopolies and Mergers Commission will continue alongside the new rules? Surely both must apply: one must not be a substitute for the other".—[*Official Report*, 23 May 1995; Vol. 260, c. 712.]

I can certainly provide that assurance to the House. We are the friends of the consumer; we stand for the viewer, the listener and the reader, just as we stand for the patient, the passenger and the pupil. The Labour party does not.

The Bill builds upon and nurtures the best traditions of British broadcasting. It offers the British people unparalleled choice and it will help to bring the technology of tomorrow into the homes of today. Viewers and listeners will choose whether digital succeeds. Through the Bill, the Government are liberating British media companies to serve the British public, to exploit new technology, to create new jobs and new commercial opportunities, and to allow Britain to lead the world into the 21st century. It is a common-sense Bill for the new millennium and I commend it to the House.

5.57 pm

Dr. John Cunningham (Copeland): I beg to move, To leave out from "That" to the end of the Question, and to add instead thereof:

That this House declines to give a Second Reading to the Broadcasting Bill *[Lords]* because it fails to provide the necessary incentives for rapid development of digital terrestrial television; does not contain a satisfactory framework for ensuring fair access to televised sporting events; treats newspaper groups unfairly in their access to broadcasting markets; fails to give clear commitments to ensuring the proper regulation of open access and of conditional access systems; regrets the privatisation of the BBC transmission system; and deplores the missed opportunity of providing the regulatory framework necessary to embrace the convergence of television and telecommunications technologies at the approach of the Millennium.

I confirm at the outset that the Government were right to introduce a new Broadcasting Bill. I am not convinced that the Secretary of State made the correct type of speech about it, but I shall return to that issue later. Does the Bill meet the challenges that we face? Will it be effective? Does it give sufficient guarantees to viewers and to listeners? We must answer those questions and judge where the public interest lies and how to safeguard it.

When the Bill was debated in another place, widespread concerns were expressed that the Government's proposals fell well short of what was required in a number of important areas. The Secretary of State sounded rather like the hon. Member for Rutland and Melton (Mr. Duncan) when, in the face of an overwhelming and humiliating defeat in the House of Lords, she claimed that she was pleased that the Bill had been changed. It is rather like the Government's claiming some crumb of comfort from their humiliating defeat in the South-East Staffordshire by-election.

If the Secretary of State wanted the sports broadcasting provisions in the Bill, why did she not include them in the first place? If she wanted the amendment to be carried, why did her right hon. and hon. Friends oppose it to the bitter end? It is absurd for the Secretary of State to claim to be pleased about what was, by any test, one of the Government's most humiliating climbdowns on an important facet of broadcasting in recent memory.

The background is one of rapidly advancing technological change, media industry restructuring and global market development. As the right hon. Member for Wokingham (Mr. Redwood) made clear, the Secretary of State does not seem quite to understand the nature and pace of that change. Her answer to the right hon. Gentleman will put in jeopardy any hopes she might have of a place in his first shadow Cabinet.

As the right hon. Lady said, the consumer end of the changes means a wider choice of programmes and services, with the advance of digital broadcasting, satellite broadcasting and cable services bringing more competition and greater choice. Those changes, however, raise public concerns about access, standards and quality. I share all those concerns and in a number of respects, the Bill fails to meet them, particularly those in relation to quality, as several hon. Members have made clear in interventions.

The rigid distinctions between telephony, computing, broadcasting and film are rapidly eroding. The new delivery systems will provide new commercial, industrial and employment prospects. Digitalisation will accelerate the pace of change and create new challenges and opportunities for legislators and broadcasters alike. It is a time of convergence of education, the arts, drama, the cultural industries, film and television. The right hon. Lady was right to say that those changes have the potential to bring considerable wealth and employment opportunities to the countries that make a success of them.

Mrs. Anne Campbell: Does my right hon. Friend agree that it is crucial that some of the new digitalised channels provide educational opportunities as well as the opportunities that he has already mentioned? Should not we legislate to make available some space for that important purpose?

Dr. Cunningham: Yes. I agree with my hon. Friend. We have the most respected and effective distance learning organisation in broadcasting anywhere in the world—the Open university, which was introduced by a Labour Government. We also have an important proposal to develop a university of industry to utilise precisely the opportunities to which my hon. Friend refers.

Technological convergence can bring together work and leisure, the office and the home, education and entertainment. Broadcasting is a key area of activity wherein news, sport, drama, music, cultural activities, education, business and commerce come together. Public policy in broadcasting has always been, and will continue to be, of critical importance. The growth of multi-media industries and their significance in all aspects of our lives means that public policy must address the challenges of technological innovations, ownership issues and matters of content and standards.

The question for us all is whether we can meet those challenges and turn them to our advantage to produce commercial and economic success. The opportunities are enormous—not just to install the technology, but to develop the huge range of new services that technology will facilitate. That is why the Bill is so important.

The Government's decision to introduce a Broadcasting Bill can be seen in two ways. It can be seen as a modest measure that tidies up some aspects of the Broadcasting Act 1990, introduces the prospect at some undefined future date of a new form of broadcasting and implements the last vestiges of the Government's privatisation programme. Alternatively, in the words of the Secretary of State, it can be portrayed as the liberation of British broadcasters to be world leaders in the next millennium and a framework to encourage and support the necessary risk investments. I am sorry to say that it seems much more likely that the first scenario will prevail.

Mr. Ian Bruce: I am sure that the House was expecting the hon. Member for Newham, North-West (Mr. Banks) to ask this question, but he is not in his place. In the nine years that I have been in the House, every time any media organisation was taken over, the Labour party was quick to say that it was wrong to concentrate media ownership. Why, therefore, in the reasoned amendment that seeks to deny the Bill a Second Reading, does Labour seem keen to see large newspaper conglomerates taking over terrestrial broadcasting facilities?

Dr. Cunningham: The hon. Gentleman apparently does not understand that the Bill facilitates the purchase of channel 3 licences by newspaper owners. The argument is not about that, as it is already happening. Multi-media companies are developing not only in Britain, but internationally. If the hon. Gentleman does not understand that, he is in the wrong debate. The debate concerns how those developments can be managed and controlled and what legislation or regulation should be put in place to do it. I shall return to that later in my speech.

Mr. David Mellor (Putney): The right hon. Gentleman was unduly unkind to my hon. Friend the Member for South Dorset (Mr. Bruce). I trust that he will treat me rather more sympathetically. What is puzzling the right hon. Gentleman's many admirers in the Conservative party, including me, is how he can put his name to an amendment that suggests that the newspapers are being treated unfairly when, with the full authority of the Labour party, in another place on 23 May last year, Lord Donoughue said:

"We particularly welcome the 20 per cent. newspaper circulation ceiling on TV ownership, which appears to prevent the existing giants from expanding further into television."—[*Official Report, House of Lords*, 23 May 1995; Vol. 564, c. 934.]

There is no way in which what Lord Donoughue said can sit with the Labour amendment. What is the explanation for that? Our explanation is that the Mirror Group has got at the Labour party.

Dr. Cunningham: I am happy to respond more kindly if the right hon. and learned Gentleman thinks that I should. It was once said that television was a device that allowed us to see in our own living rooms people whom we would not necessarily invite into our homes. I would not necessarily put the right hon. and learned Gentleman into that category, but it certainly applies to some of his hon. Friends.

I said that I would return to the matter of the Mirror Group, but I am happy to respond now. The Secretary of State should explain what was so fundamental about the Government's choice of 20 per cent. That is the question. The arbitrary choice of 20 per cent. of the market happily allows United Newspapers and Associated Newspapers to buy channel 3 licences, but miraculously and coincidentally, prevents the Mirror Group from doing the same. That is the inconsistency in the Government's position and that is why we are raising the question. What made them decide on 20 per cent.? Why was it not 25 per cent., or 30 per cent? What was the logic in choosing that figure? I shall return to the matter later.

If the Conservative party were following its convictions altogether, it would not want any such regulation. It would want the market to decide, as I have no doubt the right hon. Gentleman would agree.

Mr. Redwood: To clear up the point, will the right hon. Gentleman say what contacts he and other members of the shadow Cabinet have had with the Mirror Group in the past three months regarding this important issue?

Dr. Cunningham: The same contacts as I have had with Sir David English, News International representatives, BSkyB representatives, regional newspapers and publishing organisations. Anyone who wanted to see me to express concerns about the provisions of the Bill was welcome in my office, just as the right hon. Gentleman would expect. I saw people on a completely even-handed basis. Incidentally, that remains the position.

Mr. Hugh Dykes (Harrow, East): Why, then, did the right hon. Gentleman not see Lord Donoughue?

Dr. Cunningham: I see Lord Donoughue every week. He is a valued colleague and member of my team. To make it clear to the hon. Gentleman, I should add that Lord Donoughue and I are not just colleagues; we have been friends since we worked together at 10 Downing street 20 years ago. Perhaps I might take this opportunity to praise the valuable work of my noble Friend and his colleagues and team in the House of Lords for securing so many important amendments to the Bill.

There is no division between the Opposition and the Secretary of State on the desirability of introducing digital broadcasting, especially digital television. It offers the prospect of better quality television pictures and competition and innovation, with a much greater choice of television channels. It also offers far more efficient use of the scarce radio spectrum in our heavily congested airwaves. The introduction of digital technology does not, however, guarantee better quality television programmes or better channels. Few comments on quality can better that of Sam Goldwyn who observed:

"The wide screen makes a bad film twice as bad."

There is no guarantee that digital television will bring better quality programmes to our television sets, yet the three key criteria for potential multiplex operators are said to be investment in infrastructure, investment in promotion and programme variety. Quality does not feature among the key criteria that the Government have set down for development.

It is clear from discussions with many of the leading figures in British broadcasting since the Bill was published that none would say that digital television will definitely happen under these proposals. That is not just the position of overly cynical or clever-boxing broadcasters, but of many analysts of the broadcasting market.

Mr. Roger Gale (North Thanet): I fail to understand the hon. Gentleman's concern. If he has genuinely mastered the complexities of the distribution of multiplex licences—it is slightly questionable whether he has—he will surely understand that the quality thresholds are already in place, because most of the multiplex licences will go to existing broadcasters to enable them to expand their services through the digital medium.

Dr. Cunningham: In spite of the hon. Gentleman's patronising intervention, that is not clear to me and it is not clear to many broadcasters either.

The single biggest risk factor for the future of digital television is the requirement for multiplex operators to promote the take-up of digital television. The operators of the multiplexes not already allocated will be expected to make substantial investments to ensure that digital terrestrial television is widely adopted by the consumer. In reality, that must be through the subsidy of set-top boxes because early production models are likely to be far too expensive for many except a small group of enthusiasts or high-income earners. As an analysis of the market risk of digital television prepared by NatWest Markets said:

"There is little or no scope for subsidy of the digital set top box by the service provider. But the availability of a cheap box, we contend, is a key issue in the selling of what after all may be a less attractive competing product than that offered either by cable and BSkyB."

The multiplex operators will not really have a distinctive new product to sell. New broadcasters will wish to see an existing customer base before they invest in programming. They will have to have far higher revenues than conventional broadcasters to pay for programming and to pay the multiplex operators for the right to broadcast. If there is a shortage of income, that will seriously risk driving down the quality of the content. That is the point, and I am sure that the hon. Member for North Thanet (Mr. Gale) understands it perfectly.

We have clearly seen from the development of BSkyB that it is the rights holders who have the valuable product. The top sporting events, films, drama and the soaps bring in the audiences, and BSkyB and others have to pay handsomely for them. The sporting bodies do not have to pay the broadcaster to be seen or heard on air. It is the other way around and that will be a financial challenge for any new broadcasters with digital technology developments. Heavens above, the BBC even has to pay Camelot to be allowed to broadcast the weekly national lottery draw live.

The existing terrestrial broadcasters have little incentive to put their own money into the development of digital broadcasting. While they are automatically entitled either to a place on a multiplex or a multiplex in their own right, they are also free to sit back and wait for the new players to invest. To get on air, any new broadcaster will have to pay for space on a multiplex. The new broadcasters will thus face much higher transmission costs, which in turn will inevitably drive down investment in production. In effect, they will be subsidising the reception of television programmes broadcast by others that almost certainly will be of superior quality to their own.

There are, of course, alternatives to the route that the Government have chosen. One of the many potential advantages to be gained from the introduction of digital terrestrial television is the liberation of the radio frequency spectrum for other purposes. That can be done only by setting a switch-off date for analogue broadcasts at some point in the future. If the Government's steadfast refusal—we heard it again today—to set such a date continues, that will also mitigate against the early fulfilment of their proposals.

If the present proposals for digital broadcasting prove to be unrealistic and potential multiplex operators do not materialise, a future Government will have to consider other options to promote its introduction.

Ms Judith Church (Dagenham): Does my hon. Friend agree that the Government have wasted an opportunity to give an important British industry a lead in the world in important new technology? Would not it be wonderful if the one decent legacy that the Government were to leave in their tottering last days was a decent Broadcasting Bill?

Dr. Cunningham: My hon. Friend is right. Our objectives in Committee will be to improve the Bill and to improve our chances of being successful in that area.

A system of digital broadcasting that ensures universal access could also embrace cable delivery systems and digital satellite broadcasting. Ultimately, consumers should not have to be concerned about the method of service delivery to their homes. The real choice in broadcasting comes from universal access to a wide range of programme services. The Government's current plans seem to be moving away from that objective. Universal access has always been an objective of public service broadcasting. I fear a loss of service to people in rural communities and some of the fringe areas of the United Kingdom. I also believe that there is a possibility of driving a wedge between the current terrestrial, satellite and cable broadcasters and potential future operators of digital multiplexes.

Many of the criticisms of the Government's proposals for digital television can also be applied to digital audio broadcasting. The same questions about investment arise. In addition, it has been asked whether multiplexes are necessary for the successful development of digital radio. An especial concern has been raised by the Commercial Radio Companies Association, which believes that insufficient spectrum has been set aside for all existing local commercial radio broadcasters to be able to convert to digital transmission in the foreseeable future. That possibility, and the association's complaint that positive advantage has been given to the BBC's local services, raises the question whether a local digital radio market will emerge. We will need to examine that further in Committee.

The Government's failure to understand the principles of providing universal broadcast service has been clearly shown in the debate, which I mentioned earlier, about the televising of sport. We initiated that debate not because we are opposed to BSkyB, but because there are important issues at stake. I am a Sky subscriber, as are, I suspect, many right hon. and hon. Members. Sky has been bold, innovative and successful in its approach to the broadcasting of live sport. We have no intention of excluding it, but there are a small number of events—the original legislation was, after all, introduced by the right hon. and learned Member for Putney (Mr. Mellor)—which, it is worth remembering, do not have to be sporting occasions, which the public rightly believe should be

available free to air on the widest possible basis. That was the purpose of our amendment in the other place and we were naturally delighted that it received such wide-ranging all-party support and is now part of the Bill. I sincerely hope that the Secretary of State has no intention of removing it. Judging from her remarks this afternoon, I think that we can conclude that she does not, but we shall watch carefully.

I also accept that the sporting bodies, the rights holders, have a legitimate right to maximise revenue from their product. That is why we support the case for unbundling broadcast rights for sport. The separate sale of live coverage, rebroadcast rights, highlights and radio coverage would allow the growth of a variety of sports coverage suited to particular types of delivery system. There is no evidence that that would substantially diminish the overall value of rights. Some people, in some sports at least, believe that it could increase the value. If we were to proceed in that direction, in time the relevance of the limited list itself might also diminish.

Mr. Ashton: If Parliament passes a law saying that a certain product must be made available and there is no appeal with regard to pitching the price, what is to stop the participants challenging the legislation in the courts or going to the Office of Fair Trading and saying that it is a restraint of trade? If rents are fixed, there is a rents officer. If we have a prices and incomes policy, we have a prices and incomes board. The law says that the product must be made available, but not at what price. If a cartel is formed, or if there is an accusation of a cartel, the Ryder cup people or the Football Association could go to court and say that every fair trading law had been broken. As I understand it, the legal advice is that that would be so.

Dr. Cunningham: The short answer—I understand and know of my hon. Friend's interest in these matters and I respect his concerns—is that the OFT is already considering the position of the Premier League in these matters. Competition law and other provisions will take their place, as they should if questions are raised about such matters, but my hon. Friend says, "If a list should emerge". A list exists. It was introduced by the 1990 Act and has been there for some time. That is what I am addressing.

Mr. Gale: Will the right hon. Gentleman give way?

Dr. Cunningham: No, I shall not give way to the hon. Gentleman again.

We also believe that the list should be reviewed, not necessarily with a view to extending its scope. We have accordingly proposed that an advisory group should consider all the issues in order to inform the Secretary of State's decisions on the televising of sport.

Mr. Peter Ainsworth (East Surrey): Another quango.

Dr. Cunningham: The hon. Gentleman talks about a quango. The Secretary of State has already referred the matter to a quango. It has already happened. The hon. Gentleman should keep up with events. What concerns me is whether anything effective will emerge from the right hon. Lady's decision.

The Minister of State, Department of National Heritage (Mr. Iain Sproat): Wait and see.

Dr. Cunningham: The Minister says, "Wait and see," but we have some indications already. I understand that a draft code of practice on the broadcasting of sport was delivered to the Department a few days ago. It has been agreed, apparently, by some of the executives of major sporting bodies, but not by their governing bodies. To date, no formal discussions with any broadcasters have taken place about it, although some informal soundings have been made. My understanding is that the code of practice is on rebroadcast rights and highlights and does not yet deal with the important issues, such as news coverage of sporting events.

The right hon. Lady should publish that proposal as soon as possible, and certainly during our Committee proceedings, so that the House and the Committee can make some better-informed decisions. On the basis of what we understand, it is a long way from being satisfactory. If the right hon. Lady does not publish it, or even if she does and it is unsatisfactory, we will reintroduce amendments to provide a statutory framework for the unbundling of sports broadcasting rights.

I come now to the importance of proper regulation of conditional access systems—the set-top boxes and associated technology of must-carry and must-offer protection to ensure that all broadcasters are treated fairly, and of universal access for viewers and listeners across the United Kingdom.

In January, the Government published their proposals for regulation of conditional access systems and they have given a commitment to table next month the relevant statutory instruments to implement the European Union television standards directive, but we need to be convinced that all the necessary steps are being taken. The new licensing regime needs to be put in place now and Parliament should be debating the issues as part of the Broadcasting Bill. We shall certainly raise them in Committee.

A further matter that should be settled by the Bill is the Channel 4 funding formula. The formula was a well-intended measure in the 1990 Act. I say to the right hon. and learned Member for Putney that it was founded on good intentions. The formula worked to most people's satisfaction for a while, but it has fallen into disrepute. There are, I know—we have all had the correspondence—strong feelings on both sides of the argument, but when the 1990 Act sought to underpin the finances of Channel 4, it did not envisage the outcome, and I cannot blame the right hon. and learned Gentleman for that.

In the event, the funding formula has not been a great success. In the five years to the end of 1997, Channel 4 will have paid more than £300 million to the ITV companies, which is considerably more than its expectations and more than anyone envisaged at the time. A fair means should now be established to redirect the substantial amount of Channel 4's revenue back to programme making. The formula should not just be ended, giving a blank cheque or carte blanche to Channel 4; there must be commitments if the formula is to be ended, and we shall want to explore what the Secretary of State had to say about that in more detail in Committee.

The right hon. Lady tried to have some fun about opposition on strong and diverse companies in the media operating in local, national and international media markets, but she must do a bit better than quote Paul Foot in support of her case. As I understand it, Mr. Paul Foot, in *The Guardian*, was saying that we on the Labour Benches should accept without question a piece of

[Dr. Cunningham]

Conservative Government legislation. I must say that that is a headstand of spectacular proportions, even for him. We have no intention of doing so.

The Government's position is perverse. They want developments in cross-media ownership, but arbitrary figures have been set to judge how much of the market any one company can own. The most arbitrary aspect must be the restrictions on national newspaper groups investing in commercial television—the so-called 20 per cent. rule.

The Mirror Group, as the right hon. Lady knows because she has had discussions and correspondence with it, feels that the legislative proposals are biased against it—and understandably so. It should not be discriminated against, particularly when supposedly smaller newspaper groups own a large number of regional and local newspaper titles. Nationally and internationally, cross-media ownership already exists and is developing. The question is not whether it should exist—it is happening—but what controls should be used to guard against monopoly and to ensure fair competition and diversity. We are happy to debate those issues.

Mr. Mellor: I am grateful to the right hon. Gentleman for giving way a second time. If 20 per cent. is not the right figure, what is?

Dr. Cunningham: I am sure that the right hon. and learned Gentleman knows that, if it was 25 per cent., the Mirror Group would be allowed to participate. The amendment was blocked. United Newspapers and Associated Newspapers can participate. Conservative Members must say why the limit is drawn to block the Mirror Group. *[Interruption.]* Why not News International, indeed, which has something over 30 per cent. of the newspaper market? That is why my hon. Friend the Member for Bassetlaw (Mr. Ashton) said, apparently to some mirth on Conservative Benches, although Conservative Members pride themselves on pursuing market forces and free enterprise, that perhaps the usual competition laws should be allowed to operate. That is at least as sensible and logical a position as the one adopted by the Secretary of State.

Paragraph 9(1)(b) of the new part IV of schedule 2—to be found on page 108 of the Bill—gives powers to the ITC and provides that a licence does not have to be granted

"if the relevant authority determine that in all the circumstances the holding of the licence by a body corporate falling within paragraph (a) or (b) above operates, or could be expected to operate, against the public interest."

So let us not hear from Conservative Members that there are no safeguards against abuse—they are written into their Bill, but it is apparent from their clacking away during the debate that they have not read it. That has been amply demonstrated by what they have said.

In local newspaper markets, there are other questionable restrictions on cross-media ownership, which are again the subject of much criticism from local newspapers. The thresholds do not seem to be based on any objective assessment of markets. They are clearly derived from the failure of competition policy and the Government's repeated failure to bring such policy up to date. If the Office of Fair Trading and the Monopolies and Mergers Commission were able to do their jobs properly, the thresholds would not need to be set in such an arbitrary manner.

If public interest issues are at stake, let us use public interest criteria. That is what they are there for. The public interest also requires that, where takeovers occur, there is adequate protection for regional interests. I know that at least one right hon. Gentleman on the Conservative Benches shares some of the views that I am expressing in this part of my speech.

Mr. Robert G. Hughes (Harrow, West): Will the right hon. Gentleman give way?

Dr. Cunningham: Yes, but then I must get on.

Mr. Hughes: I hear what the right hon. Gentleman says, but does he not feel obliged to explain why he so violently disagrees with Lord Donoughue, a personal friend with whom he has worked so closely, who said that we have it absolutely right and warmly welcomed the 20 per cent. rule? Is the House not entitled to expect an explanation?

Dr. Cunningham: That was a poor question. I rather regret giving way to the hon. Gentleman, because he has just repeated a question that I have already answered.

The hon. Gentleman asked why I violently disagree with Lord Donoughue. I do not. If the hon. Gentleman checks the *Hansard* of the other place, he will see that Lord Donoughue was talking about the White Paper and that his comment was made long before the Bill was published. He will also see that Lord Donoughue moved an amendment on the very issue that I am talking about, so the hon. Gentleman is behind the times and is rather ill informed, as is often the case.

I welcome the proposal to merge the Broadcasting Standards Council and the Broadcasting Complaints Commission, but we believe that a further step could be taken. The Independent Television Commission's main role is to consider issues of quality. We think that very important, but we should consider whether it should also deal with standards and complaints. The public would then know that there was one body to which they could turn when concerned about any aspect of television broadcasting. At the moment, there is a plethora of regulators. Frankly, the public do not know that some of them even exist, but if they do, the public are not sure of their powers or how they can help when they have a complaint.

I share the Secretary of State's understandable concerns about the proposal to use the so-called V-chip. I am happy to have a discussion on that as, indeed, is she, because, like almost every hon. Member, I want to ensure that, so far as practicable, children are protected from violent or disturbing images on television screens. I share the public's concerns generally on those points, but the reality is very different from some of the reports that we have read in the newspapers. Even if every new television set were to be fitted from tomorrow with the V-chip, some 36 million television sets in everyday use in Britain would be without one, and many of those sets will survive for

many years. We know that many parents will not go out and—by whatever means—have their existing television sets retro-fitted with V-chips.

Mr. Hughes *rose—*

Dr. Cunningham: No, I shall not give way again.

Many of those sets will survive for years. The proposal leaves out the need to fit the chip to video recorders, which would also require one as, in time, probably, would personal computers. There is also a legitimate argument that over-reliance on such end-user technology might, for example, lead inevitably to a lowering of standards in the general quality of broadcast material. It might also erode the well-established principle of the 9 o'clock watershed. The overriding principle must be the exercise of parental responsibility, which can only ever be supported—not released—by technology, so let us have the debate. Anyone who believes that that is a quick and easy solution to the problem is deluding him or herself.

The BBC transmitter privatisation, to which the Secretary of State referred, is unnecessary. Nor did the BBC want it. It is taking place as a sop to those on the Tory right who want the whole of the BBC to be privatised. It was forced on the BBC, which probably acquiesced to ease the renewal of its charter. Before the sale takes place, there are some important questions to be asked about how the future of broadcasting transmission services will be regulated. We do not know who will be the likely purchaser of the transmitters, but it could, for example, be National Transmission Ltd. and its new owners, Cabletel. How will a monopoly or, indeed, a rather complex duopoly, be regulated? How will its prices be controlled? Will radio and television transmission operate in the public interest, or will it operate in the interests of a private monopoly just motivated by profits, as we have seen in many other private monopolies created by the Government following privatisation? All these questions have been ducked by the Secretary of State, and we shall pursue them in Committee.

There are other issues—

Mr. Michael Fabricant (Mid–Staffordshire): Will the right hon. Gentleman give way?

Dr. Cunningham:—such as who owns some of the transmitter sites, particularly those based on embassy properties overseas. Finally, but by no means least important—

Mr. Fabricant: Will the right hon. Gentleman give way?

Dr. Cunningham: Not for the moment.

What provisions will there be for the staff of the BBC transmission department, whose employment and pension rights do not merit a single line in these proposals? The staff of the BBC transmission service must be treated in no less favourable a way than the IBA employees were when its transmission services were privatised. If the House will forgive the pun, bland reassurances about TUPE—the transfer of undertakings protection of employment—regulations are simply not good enough.

The Bill's remit is broad and complex—

Mr. Fabricant: Will the right hon. Gentleman give way?

Dr. Cunningham:—but its vision is narrow. Where are the provisions—

Mr. Fabricant: Is he frit?

Dr. Cunningham: The hon. Gentleman flatters himself.

Where are the provisions to deal with the new types of point-to-point and video-on-demand services? Where are the clauses to regulate the provision of moving images on the Internet? Where are the regulations that will accelerate the process of convergence of the television, telephone and personal computer?

Broadcasting has a great tradition in the United Kingdom, from the early radio broadcasts, through Baird's experiments 70 years ago, right up to the present day. We have, as the Secretary of State rightly said, been at the forefront, the cutting edge, of much of the progress in broadcasting technology. In spite of our criticisms, we have probably the best television industry in the world, even though we must all from time to time reflect on that wonderful comment of Harriet Van Horne, who said:

"There are days when any electrical appliance in the house, including the vacuum cleaner, seems to offer more entertainment possibilities than the television set."

To their credit, the Government see the commercial and economic opportunities of digital technology—opportunities for British industry across the globe; opportunities that we cannot afford to miss—but they have failed to provide the legislative and regulatory framework to match those challenges. That is why we shall vote for our amendment.

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): I call Mr. David Mellor.

Mr. Ashton: On a point of order, Mr. Deputy Speaker. It was announced earlier that, after the Front-Bench speeches, speeches would be limited to 10 minutes. When will that arrangement start, and when will it end?

Mr. Deputy Speaker: It will start immediately.

6.39 pm

Mr. David Mellor (Putney): I am grateful for the opportunity to speak about an area of policy which means a great deal to me, and has done for most of my time in the House.

I welcome the Bill, which represents a full-hearted acceptance of the reality of change that has coloured and motivated all Conservative legislation on broadcasting over the past 50 years. All the major broadcasting changes that are now considered so beneficial were introduced by Conservative Governments, and were generally opposed by Labour. The move towards imposing a statutory framework on the digital revolution will, I think, be as successful as—six years on—the Broadcasting Act 1990 is now seen to be. Whatever was said about that Act,

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ITV and Channel 4 have flourished and the Trsry has benefited, and there have been none of the malevolent consequences that were predicted.

Given the time limit, I shall concentrate on a few issues that reflect my view that, while of course there is room for enterprise and entrepreneurs in broadcasting, it will never be a suitable medium for a free-for-all. There will never be a completely free market in broadcasting. There is always a role for regulation; the task of successive Parliaments and Governments is to determine what that regulation should be, and with how light a touch it should be applied.

I have been closely involved in the issue of sport since the Bill was introduced. I believe that the right answer has now been arrived at in regard to the limited list and the restriction on Sky. I subscribe to Sky Sports: I believe that in future there will be specialist channels catering for the addict in a way that general channels cannot be expected to. We must recognise, however, that there is considerable resentment among the public, who feel that they may be robbed of what they regard as key national sporting events.

The restricted list—whose legislative history dates from well before the 1990 Act—provides a fair basis for specifying events that should be seen on terrestrial television. I do not consider that a major inhibition to the development of Sky's business, but I do not support any extension of the list. I think that we must simply accept that it exists, arbitrary though it may be. To extend it would be to open a Pandora's box: people would want to include everything from the Five Nations championship and the Ryder cup to the tiddlywinks championships.

It would be wrong for us not to address the issue of "unbundling" in an effective way. There is no reason why those who have paid for exclusive rights to show a sporting event—even if they have paid formidable sums—should not both allow limited highlights to be shown on news channels on other services and, if they are television channels, allow separate radio rights so that those who cannot afford to subscribe can listen to the event on the radio. That is what many people did when the last Ryder cup event was broadcast. We have a public interest in ensuring that monopolists do not damage the public's entitlement to share in great national sporting events. I do not necessarily believe that that should be included in a Bill, but I do believe that it should be achieved effectively. I hope that there will soon be a code of practice, so that we can judge its effectiveness before the Report stage.

The right hon. Member for Copeland (Dr. Cunningham) said something that he may not entirely have meant; it was rather tangential. I may have misunderstood him, but he seemed to be saying that it was a good thing that the Premier League's television rights had been referred to the restrictive practices court. I am sorry if he thinks that—but he is now saying that he does not, so I take back what I said.

Personally, I consider that action to have been a malign and foolish intervention. The equivalent regulator in America is specifically forbidden to interfere in the entitlement of the league to sell its television rights as a unit. It is self-evident that every football team cannot agree its own television rights. If Manchester United has an exclusive deal with one television channel and Liverpool has a deal with another, how on earth can their matches be given television coverage? I believe that the regulator overstepped the mark.

When the 14 per cent. threshold was set, Channel 4 wanted it. It did not know any more than the rest of us whether, once free to sell its own advertising revenue, it would flourish: it took a leap in the dark. I understand why it now wants a change, and I also understand why the Channel 3 companies resist the idea—if some of them did indeed rely on securing an income from Channel 4 when they made their bids. Some were paying formidable sums to the Trsry for the right to broadcast.

I believe that considerable progress has been made in sorting out the issue, but I hope that it will be possible to deal with it once and for all during the passage of the Bill. As my right hon. Friend the Member for Mid-Sussex (Mr. Renton) suggested, there might be some advantage in that; I do not see the point of keeping the pot bubbling.

I am sorry that, having delivered his soundbite, the hon. Member for Liverpool, Mossley Hill (Mr. Alton) has departed. The V-chip strikes me as a simplistic solution to a complex problem, which, like all simplistic solutions, will not work. First, I think that responsibility for the broadcasting of offensive material should continue to lie with broadcasters. No one should be let off the hook because, if they show something unacceptable, a little widget in the television set will stop children seeing it. Secondly, such an arrangement may be all right in America, but, unlike America, we have regulation. Regulation should be effective, and should prevent the showing of programmes that are over-violent or offend the taste and decency of the wider community.

Our attention has already been drawn to the awesome consequences of replacing pieces of equipment to ensure that the V-chip can be inserted. It has been forgotten, however, that if the V-chip is to work on the basis of a one-to-five classification, everything shown on television must be classified. The system can be triggered only if the programme involved identifies itself as level 4, 3 or 2. I think that it is an elephant trap for the unwary, and I hope that the House will resist the proposal of the hon. Member for Mossley Hill.

As for cross-media ownership, we have all experienced our little humiliations when political proposals or pieces of legislation go wrong. The right hon. Member for Copeland teased my right hon. Friend the Secretary of State about her alleged humiliation over sports rights. I suspect that my right hon. Friend was well aware that that would happen at some point in the proceedings, and was entitled to make a judgment about when she wished to reveal her hand.

The right hon. Gentleman did his usual clever stuff, spinning his words effortlessly. He reminded me of what was once said about the boxing promoter Don King: "If bullshit were poetry, he would be Shakespeare." However, the fact that Lord Donoughue had eaten his words before the right hon. Gentleman could eat them for him cannot disguise the truth that the Labour party should feel some embarrassment. When—as is appropriate in the case of a Government of integrity like the present Government—the White Paper actually said what the Government would do, and when the Government then published a Bill to enable them to do it, Labour made one response to the Government's announcement of their intentions and a quite different response to the Bill.

Whatever the right hon. Gentleman says, there is no option but to conclude that because Mirror Group Newspapers got at the Labour party it has had a conversion on the road to some city other than Damascus on the issue of 20 per cent. rather than 25 per cent. It sits ill in the mouth of a party that is always proclaiming its high standards on these matters to object to the Government apparently falling in thrall of vested interests when the first time that a vested interest so much as waves a little finger at Labour the public interest flies out of the window. Labour cannot be proud of that.

The Bill is worthy of a Second Reading and I hope that after some details have been smoothed out in Committee it will become law.

6.50 pm

Mr. Gerald Kaufman (Manchester, Gorton): The Bill would be much better if it took account of the reports by the Select Committee on National Heritage on Channel 4 funding, on which its provisions are unsatisfactory. On listed sports, the Government have been forced to adopt the Select Committee's recommendations. The Government have failed to understand the Committee's recommendations on the future of broadcasting as outlined in our report on the future of the BBC.

The Bill is poor because it has no plans for the future horizons of broadcasting, which is the future of this country. We are not simply debating television entertainment but the future of work, education, medicine and the social organisation of our cities. We shall see the biggest change since the industrial revolution. Countless jobs and billions of pounds worth of exports are at stake. In future, television, computers, newspapers and telephones will merge into one seamless continuum. That is not a fanciful, futuristic prospect: it is happening now.

In the United States NBC and Microsoft are discussing a service by which NBC will broadcast the news. Anyone who wants more will be able to tune in to the Microsoft network and receive everything that is related to that news coverage. That can happen now. Audiences and services are changing. Cable television is providing telephone services and 30 per cent. of the population now have access to satellite and cable television.

The Government have been forced to recognise change through the Bill's historic clauses 26 and 113, which for the first time will give the ITC power over the BBC. But the Bill as a whole is a puny, bureaucratic, petty regulatory measure that cannot see beyond an extremely low horizon. It aims, not very competently, to tidy up the past but fails to prepare for the revolution of the impending future. Its petty, silly and almost certainly unworkable regulations on cross-media ownership are the most vivid illustration of its inadequacy.

I have rarely read such claptrap in any legislation as that contained in clause 5 and schedule 2. They set out batty requirements for an assessment of changes in the percentage of total audience time of television stations, and changes in the national and local market shares of newspapers and the number of 15-year-olds who watch any particular programmes. The percentages are utterly arbitrary. The right hon. and learned Member for Putney (Mr. Mellor) asked my right hon. Friend the Member for Copeland (Dr. Cunningham) what percentages he supported, but the right hon. and learned Gentleman failed to take account of the fact that the Bill gives the Secretary of State power to change the percentages at any time she wishes—so she does not necessarily believe in those percentages either.

I do not know whether to laugh at the sheer fatuity of the legislation or to cry at the expenditure of time by highly paid civil servants, no doubt with first-class degrees. Such demented provisions are aimed at limiting what needs to be expanded. We need more cross-media ownership, not less. In the United States, cross-media alliances are powerful enough to dominate the world, but in Britain the future of communications will be crabbed and stunted. There is no policy for the future of the biggest growth industry for the foreseeable or, indeed, the unforeseeable future. The Department of National Heritage is not a Ministry for fun: it should be a powerful industrial Department rather than a finicky calculator of points and percentages.

I repeat what I have said in the House several times in the past, and I shall continue to say it until someone does something about it. Instead of allowing foreign-owned cable companies to make this country their adventure playground, expanding their wealth from the United States and Canada into this country and dominating more and more the 48 existing channels and the many more that we should and will have, we should build up a United Kingdom conglomerate that is powerful enough to take on the world's biggest conglomerates. The only pre-eminent indigenous company that is capable of providing the software, the programming for that conglomerate, is the BBC.

The BBC ought to be working in partnership with the ITV companies, which are currently able to harvest a short-term bonanza for themselves but which in the long term on their present basis are doomed. The BBC is stumbling into the future. Its world and prime channels, which are now available on the continent, are examples of that. But it needs to be booted into the future. The BBC needs to be set free from the licence to which it clings as an anchor, but which is its shackle. It needs to be propelled into the world market, but it is the playground of puny men who are totally unequal to the challenge of moving into the information super-highway.

As one of his earliest acts as chairman of the BBC, Sir Christopher Bland ought to clear out the puny men. The corporation must enter a partnership involving not only its current worldwide partnership with Pearsons but British Telecom. It must have the incentives and the disciplines of the market. It is cushioned too much by the licence and by being a public corporation. The current issue of *The Economist* is right that the days of subsidised television are coming to an end and ought to end.

Huge possibilities and prizes are available for this country because it has the asset of the BBC logo and the priceless asset of the English language. The Bill not only does nothing to realise the possibilities of the new age of communications in which those prizes are available but its absurd page after page of pointless, unworkable and unimplementable regulations are a ball and chain. In the last full Session of this Parliament the Bill shows that we can hope for nothing from the Government. My right hon. Friend the Leader of the Opposition has shown that he completely understands the issues and my right hon. Friend the Member for Copeland has added to what the

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Leader of the Opposition said in October. We must look to a new Government for new ideas which will gain for Britain the industrial rewards that are there to be won.

It is incredible that the Conservatives call themselves the party of the market. The Bill has nothing to do with the market. It is backward looking when what we need is one that looks to the future. I hope that a Labour Government will soon introduce such legislation.

6.59 pm

Mr. Tim Renton (Mid–Sussex): I have to tell the right hon. Member for Manchester, Gorton (Mr. Kaufman) that although I sit under his chairmanship on the National Heritage Select Committee, I believe that he is totally wrong in his approach to the Bill. The trouble with the Bill is that it is complex—but, as many hon. Members have already said, we are dealing with extremely complex issues.

When I was a Home Office Minister, I played a part in the preparation of the 1990 Broadcasting Bill, before moving to another job at No. 12 Downing street. The House must recognise now, as we had to recognise in 1990, that technological change in broadcasting is proceeding at such a speed that it is rather like a moving reel of 8 mm film—but Parliament stops the film, says that there is to be another broadcasting Bill and we have to take a snapshot of one moment in time in what is essentially a fast-moving picture. That is the difficulty that the House faces with this Bill, as it did with the 1990 Bill.

As I said, I wholly disagree with the right hon. Member for Gorton. My right hon. Friend the Secretary of State, with her officials and with officials at the Department of Trade and Industry, has done an extremely good job in dealing with a very complex task. It is true that such phrases as "multiplex service" and "independent analogue broadcaster" are not on people's lips in the pubs in my constituency—or, I suspect, in Manchester. If I were to talk about digital compression to one of my friends, he would probably think I was referring to someone who had caught his fingers in the car door. If I were to talk about conditional access, people might think it more relevant to family law and the rights of divorced parents to have access to their children. We must accept that those phrases are not on people's lips in this rapidly changing world.

The questions people want to ask are these. Will the BBC stay the same? Will we have to continue to pay a licence fee? Do we have to buy much more equipment, such as computers, modems, satellite dishes, and so on, to get the new channels? Do we—sports fans apart—want the new channels anyway? And what will we do with 200 channels if we get them? The great majority of people in Britain would say, "Stop the broadcasting revolution: stop this particular world turning so fast—I want to get off."

The Bill does not make the average person much wiser. However, we have to accept—those hon. Members who serve on the Select Committee know this—that we cannot disinvent the atomic bomb, digital television, the Astra satellite or fibre-optic cable. The Government must cope with changes according to the best information available at the time and the best prognosis of what will happen in the years ahead.

Hon. Members have already said that the two major new factors—the two great challenges—will be digital television and interactive television. We have not yet said much about interactive television, but there are enormous possibilities for school education, adult learning and home shopping. However, the screen needs to be linked to a telephone line to complete the return loop. That means that the domination of television for the past 30 or 40 years by the terrestrial broadcasters is over. Influence and power will move away from them to satellite and cable broadcasters and to the giant telephone companies. They are very different players indeed.

One of the few detailed questions that I want to explore in the time available to me is whether it is right, in those circumstances, for responsibility within Government to be split between the Department of Trade and Industry and the Department of National Heritage. I suspect that it is not. The whole spectrum of responsibility should fall to one Department, probably the DNH. In turn, the DNH should pass on to the Independent Television Commission as much as possible of the detailed, executive responsibility for daily decisions. It is wrong for a Government Department to have to interfere in highly technical, executive decisions on a day-to-day basis.

From this rapidly changing scenario will emerge three or four very large companies, in multimedia or in telecommunications, or in both. They will have pan-European ambitions. Murdoch, Canal Plus, Bertlesmann and Berlusconi are some of the obvious names. In a sense, with the Bill the Government are like the legendary Dutch boy keeping his finger in the dyke, trying to stop a huge tidal wave of water flowing out, not knowing where it would go. If there is excessive domination by a few companies, I have no doubt that Britain will no longer have the diversity, the variety of ownership and the programmes that we all want and which have served this country so well. The attempt to preserve those is the guiding philosophy behind the Bill.

There is one particular area—I hope that my right hon. Friend will add it to her copious notes—in which the Bill should go further than it does: the control of conditional access or encryption. The providers of the highly technical service of encryption will not be just the gatekeepers; they will not just have their own turnstile in the sky, as BSkyB described its pay-per-view coverage of the Bruno-Tyson fight: they will have the ability to control other people's turnstiles—other people's gates to profit. Surely that makes the licensing of conditional access services essential. That should apply not just to digital broadcasting and satellite, but to terrestrial and analogue. If it is not made clear that the Government intend to introduce a licensing system to cover the whole area of conditional access, the providers could be in a dangerously dominant position in an indispensable component of provision to viewers of subscription television services. I hope that that is one area where the Standing Committee will reinforce the licensing provisions. The ITC should be the watchdog for that, as it is ideally suited for the role.

We have discussed Channel 4 widely. I hope that my right hon. Friend will think again about the need to give some indication of the likely level of the split in funding in 1998-99. I hope that she will bear it in mind that television companies—and Channel 4 is a leading company—plan two years ahead for their series of programmes. It will become increasingly important to Channel 4 to know its likely funding position in 1998.

I recognise that quality is the hardest issue of all. We fought for it with the 1990 Bill and I hope that clause 8 of the current Bill will be amended to include some sort of quality formula for digital terrestrial television. I do not think that the argument that quality should be excluded is properly or sufficiently made. There should also be a clear incentive for original production within the United Kingdom. That is, after all, the bedrock of our television industry. It is what has made some of our television companies, such as Granada, famous throughout the world. There are huge exports involved, for example, into the Masterpiece theatre of United States television. The proposals can be modest, but surely some incentive should be provided, even to the new digital television providers, to commit themselves to British-based original production, which will grow as they establish their profits.

Finally, I want to say something which I know that many people feel—which is that we have some of the best television and radio in the world. I hope that in the multiple birth of new channels on digital, satellite and cable, we can ensure that the creative skills of our multimedia industry are not only maintained, but thrive. On that basis, I support the Bill.

7.9 pm

Mr. Robert Maclennan (Caithness and Sutherland): I very much agree with almost everything said by the right hon. Member for Mid–Sussex (Mr. Renton), which I have not always done on these matters. I think that the demission of office has made him less doctrinaire on broadcasting matters, which I welcome.

The right hon. Gentleman was right to emphasise that the broadcasting industry in this country has been immensely successful in producing programmes of quality and variety that are almost without parallel in the world and have been enjoyed almost universally in this country—with unlimited access until relatively recently. That situation is changing, and it is right to examine the regulatory framework that is needed to take account of technological developments, which are moving so rapidly and have made the Broadcasting Act 1990 an insufficient basis for the future.

The broadcasting industry is important and—notwithstanding what the right hon. Member for Manchester, Gorton (Mr. Kaufman) said about its current performance; I think that he overstated the case—it employs about 42,000 people and is worth about £3.5 billion to the United Kingdom's economy. He overstated the case because he places much greater emphasis on the broadcasting industry as a productive industry rather than one that serves the listeners and viewers. It is because of that service aspect of the industry that it is necessary to have a regulatory regime that is sensitive to such considerations, and not only to the adaptations necessary for operation in a global market.

I believe that we have always recognised in this country that a special competition regime is required for broadcasting, rather than merely placing reliance on the Office of Fair Trading or the Monopolies and Mergers Commission. I have noticed on other occasions that the right hon. Member for Manchester, Gorton and other hon. Members are so fascinated with the new technology that they are at risk of believing that the medium is the message.

Digital broadcasting is of great importance. It allows more economy in the use of the spectrum and, when combined with multiplexing, can greatly increase the possible number of channels. I think that, at least theoretically, it offers the possibility of a welcome expansion of consumer choice. Although that development will not occur overnight, as the opportunities for listening and watching programmes multiplies, so the audience reach of those channels will be fractured and diminished, which must have a considerable impact on programme making.

It is possible—I hope that the right hon. Member for Gorton is right about it—that specialist interests may be better catered for in such a world. I think that that is quite possible, but it is also true that commercial pressures may erode the resources that have been put into public service broadcasting, which could diminish the true diversity and quality of programmes available to the public.

The possibility that those resources will be eroded is why I think that the Government are right to proceed with some caution in altering the regulatory framework of broadcasting, and why—in particular when we consider the detail of the Bill, which is complex—we should seek to ensure that the new rules relaxing controls on media ownership do not undermine plurality and diversity. In particular, we must strengthen provisions that are necessary to secure the distinctiveness of regional media. In the light of what the Secretary of State had to say on that point, I shall return to it later.

Broadly, I think that the Government's proposals for digital multiplexes make fair provision for existing terrestrial channels, and I particularly welcome the allocation of an entire multiplex to the BBC. However, it is not clear what the Government intend to do about the standardisation of technology for receiving such channels. Do the Government intend to ensure that black boxes will be standardised across the industry? It would clearly be too expensive for viewers to have to purchase different black boxes for each channel they wish to watch. If we are to continue with the objective of universality of access, I hope that the Government will find it possible to consider that point.

If subscribers to pay television have to go through one gateway to receive that service, and the controller of that gateway is also the provider of programmes and can exclude other programme providers, there is a clear risk of anti-competitive practice, as the right hon. Member for Mid–Sussex pointed out. I think that the Bill does not seek to protect us against such potential abuse, which is a little odd considering the Bill's purposes. Like the right hon. Gentleman, I should like to see an amendment tabled in Committee to achieve such protection. Although the Government have mentioned this point at earlier stages, they seem not to be treating it as an issue of broadcasting policy.

There is an even bigger black hole in relation to competition, because the Bill does not provide any system of licensing or regulation for conditional access and encryption for existing analogue cable and satellite broadcasting. The Independent Television Commission has argued—I believe that the House should accept its argument—that it is best equipped to regulate conditional access, and should be empowered to do so for both analogue and digital services.

Although currently we seem quite far from the proffered 18 national television channels on six multiplexes, I should be interested to know why the Government are willing to contemplate having half those multiplexes acquired by a single company.

[Mr. Robert Maclennan]

Again adverting to a point raised by the right hon. Member for Mid–Sussex, I should like to know whether some quality requirement will have to be met and monitored, either by the multiplex operator or by the programme providers. It is not sufficient to say, as the Secretary of State did, that the BBC and the independent television companies that will have access to multiplex will be regulated and will set a benchmark. It is bound to have a major impact on the pressure for quality on the other half of the industry if more than half the new providers are not to be regulated. That point has not been adequately debated so far in the Bill's passage.

Those are not immediate questions, because we are not faced tomorrow with the arrival of the digital terrestrial revolution, but it is incumbent on us to address the changes that the revolution will bring. I should be interested to hear whether the Minister of State has anything to say to give us a better idea of when and how the revolution will occur, because, although dates have been given—five years has been mentioned—there has not yet been clear commercial interest in moving in that direction.

It would not be satisfactory simply to switch off analogue broadcasting and render the reception arrangements of the bulk of the population out of date at a flick of the Government's finger. I do not think that the right hon. Member for Copeland (Dr. Cunningham) said that that was Labour party policy. We are entitled to hear the Government's best guesses on how this development can be kick-started. So far, it is a very exciting technological development, with obvious benefits, but lacks the commercial catalyst.

I turn from those somewhat futuristic problems and possibilities—as I said, it is right that we should be seeking to legislate for them—to the more immediate impact of the Bill's provisions to liberalise cross-media ownership. I say at once that I accept at least part of the argument that the rapid technological convergence between different media sectors makes some of the existing rules—which weigh against an entry into broadcasting of long-established newspaper companies, for example—artificial and undesirable.

However, we are not talking only about very big business and the demands of the global marketplace—we are concerned with the need to ensure that the media of communication are not unacceptably dominated by too few players. Broadcasting and newspapers have always been recognised as apt subjects for particular rules of competition, since monopoly in the flow of information and ideas is wholly unacceptable.

Subject to substantial strengthening of the Bill's provisions to secure the regional diversity which is one of the most attractive aspects of current British independent television, I would not be unhappy in principle with the relaxation on cross-media holdings to allow groups to control a mix of newspapers, television and radio licences; but—here I take issue with the Government—the market share mechanism, which is the basis of the regulatory proposals for television and radio, is inevitably arbitrary in its effects. A more general requirement—contained in, I think, schedule 2—to satisfy public interest criteria before authorising an acquisition or merger would seem more likely not only to work equitably but to enable the regulatory authority to extract appropriate conditions before authorising mergers or takeovers.

The Government cannot really suggest, as the Secretary of State did, that they are completely lacking in political partiality, whereas the Opposition were politically partial in taking the view that 20 per cent. was the right market share when that would cut out the *Daily Mirror* but allow the *Daily Mail* to enter the broadcasting market. These figures are not arrived at accidentally—they are arrived at arbitrarily. They are chosen with a particular purpose which was, no doubt, not to isolate Mr. Rupert Murdoch in his purdah.

On reflection, that is perhaps a rather strange way to put it. I should say that the intention is not to isolate him in being unable to enter the terrestrial market, which I imagine does not trouble him unduly, in view of his domination in other areas. That automatic approach is not sufficiently consumer-oriented to be an acceptable way of regulating the industry. The regulatory authority should examine questions of public interest in the round and be given more detailed guidance than that set out in the Bill.

Above all, it is important that the regulatory body should be dedicated to the media industry, and to the particular interests of viewers and listeners in this country. I do not think that it is appropriate to rely on the MMC to do that work.

I noted reports at the weekend that the MMC has been considering the interests of consumers of electricity and taking into consideration global market arguments to allow the coming together of providers and suppliers in a way that would be highly damaging to the consumer interest if it were to be applied by parity of reasoning in the broadcasting world. I very much hope that that will not come about, but I especially urge that the Independent Television Commission should be the regulatory body for such matters, and that the consumer interest should be dominant in the consideration of regulatory matters.

I was glad to hear what the Secretary of State had to say this afternoon about regional planning. It has been a concern of mine that the greater concentration of ownership, perhaps in the hands of as few as two major companies following the passage of the Bill, could destroy the regional characteristics of the independent television network. Although clause 67 enhances the power of the ITC to extract necessary conditions on the change of ownership of regional companies, the Bill does not deal with the problem of a change in the balance of power among ITV companies, which could result in amendment to the network supply agreement, to the detriment of smaller regional companies.

I understood the Secretary of State to be saying that she has taken note of that point, and would be sympathetic to an amendment to the Bill to give the ITC authority over this matter and allow it to police the sensitive pricing mechanism. If that is indeed her intention, it goes a substantial way towards removing one of my principal anxieties.

I deal now with local radio. This is a rather limited debate and although I understand that I am not subject to a time limit, I think that it would be courteous if I did not cover every point, many of which can be dealt with in Committee. The Bill deals, most importantly, with commercial radio, altering the basis to a limitation of the potential audience share of 15 per cent. for any one company. The strictures about percentages, which I have already outlined, are applicable in this sphere, as they are in television. I am not sure that this is a justifiable approach.

It is certainly important to prevent the build-up of local monopoly, and that is something to which we shall return, especially in view of the arguments advanced by the Newspaper Society, seeking to increase the scope for regional and local newspapers to expand into the broadcast media in their own areas. What matters is the principle of diversity. It would not be appropriate for a regional local newspaper group to dominate local broadcast media.

I deal now with just a few matters of detail. First, the Bill contains a rather odd provision. It does not disqualify the BBC from holding commercial radio licences. The Radio Authority was apparently told by officials at the Department of National Heritage that that was

"a deliberate provision to permit a BBC company to hold a BBC radio licence".

The authority considers that that could effect a significant distortion of competition, and I agree. Although it seems doubtful that the BBC would be able to afford such an investment, I should be grateful if the Minister would explain the Government's thinking on this point.

Secondly, I raise a point of detail of rather more local interest. It concerns the strange press release issued by the Department this morning, announcing that the Bill extended the funding for Gaelic radio broadcasting. I am not aware that an additional penny has been made available for Gaelic broadcasting. The press release is, at best, misleading.

As I understand it, clause 76 empowers the Gaelic broadcasting fund to include the financing of Gaelic radio programmes within its remit, but it does not proffer any new money for Gaelic language broadcasting. Nor have the Government done so.

In Committee, we shall want to deal with many matters relating to SC4, but I shall leave them for now.

I have just one question on the broadcasting of sporting events. I am glad that the Secretary of State performed her elegant arabesque—perhaps "tour en l'air" is the more balletic expression—on the listed events. It was admirably accomplished, but let there be no glissade away from the position that she has now adopted.

It is important for the whole nation that such events should be universally available. I understand the thinking that prompted her. It was a perfectly legitimate concern to ensure that sports clubs benefit from developments in technology but not at the cost of these matches. She was right to concede the point. Incidentally, how is the Sports Council's code to be policed? Where is the responsibility to lie?

The Bill also deals with the handling of complaints about standards, and brings together at least a couple of the bodies that have responsibilities in this sphere. I welcome the amalgamation of the two bodies. I was never happy about their separate existence, but I very much take the point expressed by the National Consumer Council, that a large range of bodies is responsible for regulation of the industry.

A one-stop shop approach is at least a desirable objective. The new body could be quite helpful in offering advice and counselling and in carrying out research, but it is important that it is not seen as the body capable of delivering the remedy. That task must lie with the broadcasters themselves. That responsibility should not be taken away from them or be thought to have been locked up in some quango, thus giving an alibi to errors that have been permitted.

The Channel 4 funding formula has been much debated in exchanges across the Floor of the House on earlier occasions. What I thought came out of those exchanges was the Secretary of State's very unsatisfactory unwillingness to make clear the financial consequence to Channel 4 in particular, and independent companies as well, of their acceptance that there have to be changes out of equity. I do not think that the matter can be left indefinitely, and it should not be.

Investment, as the right hon. Member for Mid-Sussex said, has a long lead time. Films in which we would want Channel 4 to invest, of the kind that it has been investing in very successfully, require planning years in advance. If we are to promote British production through the recouping of money that has gone to the independents, it would be helpful if the Government considered such questions.

I do not expect the Secretary of State to make all the moves at once and immediately. I am not asking for something tonight—that would be particularly unreal, in the light of what she said earlier. She ought, however, to consult on the matter, return to the House before the Bill leaves Parliament, and work out an appropriate arrangement that does justice to both sides of the argument. I have no doubt that Channel 4 has made a very impressive case, and it ought to be heard.

Some 40 per cent. of the British people's leisure time is spent listening to or watching broadcasts. Notwithstanding the excitement of the technologies that make that experience and the its diversification possible, and the excitement generated by the prospects of our further projection in a commercial direction through the medium abroad, I hope that the interests of British viewers and listeners will be given priority in the parts of the Bill that deal with the regulation of such an important industry.

7.31 pm

Mr. John MacGregor (South Norfolk): In the time available I want to deal with one issue only. I congratulate my right hon. Friend the Secretary of State and the Government on the way in which they have responded to debates and representations in another place. My right hon. Friend said that she intends to make a number of further changes as the Bill passes through the House. I add my voice to those who are urging one further change, concerning the issue of regional and local newspapers, in the hope that it can be made in Committee.

We are all agreed on the importance of the 1,400 regional and local newspapers. They help to produce plurality—which is sought through the Bill—diversity and, of course, good coverage of regional and local news, which cannot be obtained as well elsewhere. Local publishers are under immense pressure from their own industry, national newspapers and, above all, from the new means of communication, on which there has been so much focus in this debate, and which are expanding very quickly while communication through the printed word is declining.

The Bill would adversely affect the competitive ability of many regional and local newspaper publishers, their ability to develop their businesses in the only strategic way that makes sense—by diversifying—and their ability to earn additional revenue from which they can continue to provide regional and local services. In other words, the Bill unnecessarily handicaps local and regional

[Mr. John MacGregor]

publishers, for it allows national and foreign-owned companies to own local and regional television and local radio services, and indeed to back them up with a free local newspaper, which in itself is often a major source of competition for local newspapers, yet does not permit many regional and local newspapers to do the same.

As my right hon. Friend the Secretary of State says, that provision is justified on the grounds that the Government consider that

"those with a strong voice in an area's local newspaper market should not also be able to dominate local radio services in that area."

In response to the proposal of the Newspaper Society, which represents the relevant interests, that national newspapers, together with all other media, should be included in the threshold calculations, my right hon. Friend has said that she believes that there is a clear distinction between the editorial content of national and local newspapers, and that, therefore, the proposal should not be implemented. I believe that that view is mistaken. Of course I accept that at the very time a Bill is preventing cross-media dominance at a national level, we do not want to permit it at regional or local level, but that would not happen if the Newspaper Society's request were met.

First, as my right hon. Friend the Secretary of State has said, the Bill tries in a number of ways to enable some local papers to invest more in local radio. Secondly, and perhaps most important, there is a public interest test. That test is sufficient to deal with the local dominance problem. Thirdly, regional publishers, such as the one affecting my region, Eastern Counties Newspapers, would be hit by the Bill. Such publishers do not have a monopoly of local news; there are a considerable number of local radio services, local television, BBC radio, and so on.

Sir Geoffrey Johnson Smith (Wealden): Does my right hon. Friend agree that many good newspapers in the south-east would also be seriously affected if there were not the changes that he proposes?

Mr. MacGregor: That is true for many local publishers throughout the country. Local newspapers compete with the national dailies. They compete not only in editorial content but in news coverage. They are competing directly in their own areas for the same readers and advertisers as national newspapers. That is very clear if one looks at the readerships in our constituencies. They very often compete with the national dailies rather than with any other publications. It is not sufficient for local papers to be able to own other media such as local radio stations in other parts of the country. They will of course want to do that sometimes, and it already occurs, but provided that there is not a total local monopoly, there are obvious advantages, cost savings and synergies in being able to own other media in their regions, for which they are so well equipped.

The Newspaper Society is urging a number of changes, but I want to focus on the proposal that, in considering the thresholds, all the media circulating in a geographical area should be taken into account when drawing up the media ownership rules that will determine who can own what media in an area. National newspapers, commercial radio and television and the BBC should be taken into account. Such a change would enable the companies of which I am talking to continue to compete, to diversify as they wish and, in so doing, continue to provide their excellent local service. The public interest test seems to deal with the issue of local monopoly, about which my right hon. Friend the Secretary of State is rightly concerned. A namesake of mine in the other place tabled a number of amendments on this point. They were not taken on board on that occasion, but I hope that some of them will be this evening.

7.47 pm

Mr. Joseph Ashton (Bassetlaw): I declare an interest as a director of Sheffield Wednesday football club—a premier league team. I want to talk about the listed events. It is rather peculiar that everybody in this country seems to accept that sport should be totally free on television and that people should be able to watch it because they pay their licence fee. If, for instance, Pavarotti were at the opera or the Rolling Stones were playing at Wembley, nobody in his right mind would expect such events to be shown live, totally free. Nobody would expect to see a royal film premiere or the royal variety performance for free, yet their Lordships have decided that sporting events at the highest level should be made available to everybody at a rock bottom price. That is very generous of them, but what about the people who have to stage the events and pay for them?

The top sporting events are now run for genuine fans, who often have to fight to get a ticket. They have to compete with touts, and they pay from £15 to £60 for the once-in-a-lifetime chance of seeing their team play at Wembley. Yet everybody else expects to see those events free.

That is a crazy market situation. Like my hon. Friend the Member for The Wrekin (Mr. Grocott), I believe that the listed events should be shown free on television, simply because people cannot get tickets for them; it would therefore be wrong if they were not on television. But a law that says that all those events should all be shown, on all the television channels if necessary, without having a price fixed or an agreement on what the clubs should be paid, is totally unfair.

As I told the Secretary of State earlier, that position would sooner or later be challenged in the courts, on the ground that clubs are being forced to pay their players fantastically high wages. Players such as Cantona of Manchester United are probably earning £10,000 to £15,000 a week, and Ginola of Newcastle is on £12,000 a week. What would happen if the clubs could not get the money from television? We are already charging high prices to the fans—as high as they can afford to pay. Where would the cash come from? *[Interruption.]* My hon. Friend the Member for Wigan (Mr. Stott) is asking me a question, and I would give way to him if I had more time. He asks, "Why pay such high wages?"

When the British teams did not pay the high wages in the 1970s, the best British players used to go to Italy, France or Germany. Now it is the other way around. The best foreign players are coming here, because we are paying the high wages. That is why our sport on television is so good; that is why our teams are so good, and why everyone in Europe wants to play here. We can pay such high wages because of the money that we get from television, mainly from Sky. *[Interruption.]* I apologise to my hon. Friend the Member for Wigan, but I cannot let him intervene because time is so tight.

If it were not for the money that we get from Sky we could not afford to pay those high wages. Let us not knock Sky. In 1990 the House said to football clubs, "You must make your stadiums all-seater." They were compelled to do it, and it cost a mint of money. The Government cut the tax on football pools from 45 to 42 per cent.—but they had already put that tax up from 40 to 45 per cent. in the first place, so they were giving the game nothing. The football pools were paying the money out through the Football Trust, and a marvellous job was done in renovating our football grounds.

What happened then? Along came the national lottery, and it has knocked the football pools sideways. The pools are in serious trouble. The lottery has damaged the betting shops and bingo too—and the Government have not taken one extra pound in tax from the lottery, because although they have taken £600 million from it, £600 million has been lost in tax on the football pools, the betting shops and the other parts of the leisure industry; so the Government are no better off.

The game of football has lost a good benefactor in the football pools, which paid through the Football Trust to renovate the grounds, yet at the same time we say that top sporting events have to give their prize product to everybody free.

Mr. Grocott: ITV bid £260 million. That is hardly free.

Mr. Ashton: That is not true. The armchair viewer pays 3p an hour to watch sport. When my team played at Newcastle in the top match of last week, 25 minutes of which was shown on "Match of the Day", we received £7,000—£7,000 for 25 minutes of prime television time. Some Newcastle players get more than that every week. That is all wonderful for the armchair viewer, and it is marvellous for the House of Lords, but it is not so good for the guys like me, who have to find the money from somewhere to put the events on, to pay the wages and to satisfy the demands of the crowd.

A cartel could be formed; ITV, the BBC and Sky could get together and offer peanuts. What would it matter? They would still have the show straight away. The same sort of cartel used to operate before Sky came along. The BBC and ITV used to pay £5 million for 18 games. Then Sky started showing 60 games, and paid about £30 million for them—and Sky put all the teams on.

I know that people will say, "What about the poor? What about the pensioners?" Incidentally, anyone can go and watch a match on Sky on a Monday for the price of a pint of beer in the local pub, because the matches are shown on the big screen. I am sympathetic towards the poor and the pensioners who cannot afford the high admission charges—but I do not see the BBC giving them a cheap television licence, as we do in Bassetlaw where the council gives them the equivalent of the cost of a black and white television licence.

What do the BBC do for the poor? They send them to gaol! Eight hundred people go to gaol for not paying for a television licence. And if we ask in the magistrates court we will be told that those are people who can't pay, not people who won't pay. They are single women with three kids at home, or pensioners. So the BBC does not do much for the poor.

The fact is not that the BBC is hard up but that it does not want to spend its money on sport. The BBC is happy to spend money on "Pride and Prejudice" and other drama. Its representatives admitted as much when our Select Committee investigated the funding of the arts. The BBC paid £1 million an hour for "Pride and Prejudice"—because of the wonderful prestige.

In that case, I cannot imagine how much the cup final is worth. If we consider the number of viewers, and the price for which it is sold all around the world, it must be worth at least £10 million. The BBC would have a fit if someone suggested it pay £10 million for the cup final. But it can find the money for classical music, for opera, for Radio 3, BBC 2 and all the other prestige highlights. It is a fallacy to say that the BBC has no money. It has £1,700 million a year, but it chooses to spend it in a different way.

Let us not malign Sky. The satellite people have put a massive amount of money into sport. Without them, not only football but the whole of British sport, including rugby league, would be in a serious condition now. We would be back where we were in the 1970s, with slum grounds, and unable to pay high prices and high wages. We would not be able to retain our best players and to keep the best sport, as we can now.

We must not forget the other people who work in the industry either. We must remember not only the competitors but those who work behind the scenes, such as the groundsmen, the maintenance men and the ticket sellers. All those people are entitled to say, "You are destroying our industry without giving us anything in its place."

The Government have bowed to the House of Lords, which was trying to be popular. Shortly before it was due to be abolished—or rather, to have its hereditary voting powers taken away—it wanted to do something to make itself popular. The Lords did what they did out of nostalgia, without thinking through the consequences, because they are armchair viewers.

Sooner or later—but not now, while the Bill is going through Parliament—someone will say, "This will not stand up in court. You are rigging a market and saying that those events must be shown without having a proper regulator to fix the price." If there are accusations that a cartel exists and someone goes to the Office of Fair Trading, the arrangement will be kicked out. The organisers of sport at the highest level, with the top legal advice, are saying that the rule will not stand up. I hope that this matter will be probed in great depth in Committee.

7.47 pm

Sir Norman Fowler (Sutton Coldfield): First, I must declare that I have been a member of the National Union of Journalists since 1961. I am sure that all hon. Members who supplement their income with journalism pay their union dues, too. I also declare an interest as chairman of Midland Independent Newspapers and as a board member of Express Newspapers.

I shall make three short points about the Bill. First, it is about more than broadcasting, radio and television, and broadcasting standards. It is of much more fundamental importance than that, because it represents the Government's policy on media ownership. Critically, it concerns the rules according to which newspapers own television companies and radio stations, and the way in which television and radio interests will be able to own

[Sir Norman Fowler]

newspapers. The Bill could therefore hardly be more important for the future structure of the media industry in this country.

Of course, media ownership raises controversial questions, about which many people have strong views. When discussing the subject, the first issue that many people raise is foreign ownership. They have noticed that, according to the White Paper, 44 per cent. of newspapers bought today are published either by Mr. Murdoch, who was once an Australian citizen but is now a naturalised American citizen, or by Mr. Conrad Black, who is a Canadian.

Personally, I do not oppose some foreign ownership. I would argue that, in their different ways, both Mr. Murdoch and Mr. Black have made great contributions to British journalism. The question is whether there is any limit to foreign ownership. [*Laughter.*] My hon. Friend the Member for Harrow, East (Mr. Dykes) laughs. He should understand the revolution that took place at Wapping as a result of Mr. Murdoch's plan. Although I am not an unqualified supporter of Mr. Murdoch, I tell my hon. Friend that if he does not understand that point, he understands nothing about modern journalism.

At the moment, there is no trace of the Government's view on this question. Would the Government be content if all the national newspapers were foreign owned? What is the Government's policy? Do the Government have a policy? The Bill concerns media ownership and we have a right to expect that those questions will be addressed. There is something anomalous—almost grotesque—about the fact that, although the British market is entirely open to all-comers, when the British industry wants to expand overseas, there are all kinds of restrictions in its way.

My second point concerns the regional press. I agree very much with what my right hon. Friend the Member for South Norfolk (Mr. MacGregor) said. At the end of the White Paper presented by the Department of National Heritage, before my right hon. Friend the current Secretary of State took over her post, one finds what the Department regards as the audience data for the "major" media companies in newspapers, television and radio—I use the Department's word. It is altogether typical that the only newspapers shown in the list are national newspapers; the regional press is not mentioned in the tables and gets scant attention in the document generally. Again, we find Whitehall's preoccupation with the national and its lack of comprehension of the regional.

It has to be pointed out to the Government and the Department that there are more than 1,400 regional newspapers in this country, and that their share of United Kingdom advertising is second only to that of television and appreciably ahead of that of national newspapers. The industry employs about 35,000 people, of whom 9,000 are journalists. It certainly deserves the same opportunities to expand as the other media because it faces the same problems of competition.

I will put the argument another way. Far too much of the argument in the White Paper is a provider argument. The Department asks what is best for the provider and not what is best for the user—the customer. I believe that in one respect the interests of the customer and the interests of the provider are exactly the same. I give the following example. If one lives in one of the big regional cities outside London, the only news-based radio stations are those run by the BBC. There are many other radio stations, but they are all music based and staffed very economically. There is no prospect of a local independent radio station based on local news being set up simply because of the journalistic cost of establishing such a station.

Mr. Austin Mitchell (Great Grimsby): Will the right hon. Gentleman give way?

Sir Norman Fowler: I cannot possibly give way.

The one body that could set up such a station is the local newspaper, because it already has an extensive and expensive news-gathering staff. To expand in that way not only provides a better local service for the public but secures the jobs at regional newspapers. We might well think that the Bill exists to set out such opportunities, but that is not remotely the case.

The argument is that to allow local newspapers to set up stations would create a local monopoly. For the reasons given by the right hon. Member for Manchester, Gorton (Mr. Kaufman), that argument is an anachronism. The Department does not seem to have caught up with the fact that today, there is an incredible amount of choice for anyone, certainly for those who live in big cities, in terms of regional media, national media, cable television and the rest. To add insult to injury, the Bill does allow national newspapers to come into the regions and to set up radio stations.

We can all support the general principle of relaxation and new opportunities. However, I say seriously that those opportunities should not be confined to the big players—the big television companies and the national newspapers—but should be extended to the regional newspapers.

That remark brings me to my third point. My working life has been divided between politics and newspapers; I have set out my media interests. I also spent what Opposition Members would regard as a misspent youth as a Cabinet Minister in three Departments, not to mention being chairman of the Conservative party. That experience has brought me to one undoubted conclusion about media ownership, which is that the Government—any Government—should have the absolute minimum of control over the media.

I make that point because there is clearly a conflict of interest for any political party. Governments are not interested in the independent power of the media to expose—indeed, that is the last thing that Governments want the media to do. Political parties want the media on their side. Perish the thought, but that is precisely why the Opposition have changed their stance on the question and why they have changed their position on the *Daily Mirror*. They are not unique. As the election approaches, Ministers who have not appeared in the Lobbies since 1992 can be found smiling gaily at the press. That point is not only true of Ministers. The Leader of the Opposition did not go to Wapping, but was prepared to travel halfway round the globe to Australia to put his case to Mr. Murdoch and his executives. As it happens, I think that it was probably a waste of time because it is anything but clear that Mr. Murdoch is a one nation Tory.

In all seriousness, I make the point that over the past few years, major decisions have been taken which have profoundly affected the structure of the media. Important

decisions have been taken by Ministers which have not even been referred to the Monopolies and Mergers Commission. In other cases, the MMC has ruled one way and has then been overruled by the Government. I am comparatively neutral on whether the new system should involve an overall regulator or whether there should be another method, but I believe that there should be the very minimum of interference and involvement by Government and Whitehall.

I am a trifle underwhelmed by the Bill. It deserves a Second Reading because of the general relaxation it sets out. However, it merits substantial amendment in Committee and on Report.

7.56 pm

Mr. Roger Stott (Wigan): I realise that my hon. Friend the Member for Bassetlaw (Mr. Ashton) was not being discourteous in not giving way because he was short of time. I, too, applaud Sky's coverage of all sports, especially my sport of rugby league. My hon. Friend talked about high wage and salary costs. The start of the rugby super-league this year means that next year all clubs participating in it will have to implement a salary cap for players. Perhaps the football authorities could take a lesson from rugby league next year.

Unlike the Secretary of State, I am concerned by the Government's plans to privatise the BBC's transmission network, especially given the recent decision not to secure the licence fee for the tenure of the new charter. Having been a great supporter of the BBC's World Service and its services generally over the many years during which I have watched and listened to them, I am extremely concerned about the provisions in part VI to sell the fundamental asset of the transmission network. I believe that the proposal needs to be examined in far more detail in Committee, as my right hon. Friend the Member for Copeland (Dr. Cunningham) said.

Two major risks are involved. First, who will own the transmission service? The second risk is that the BBC will be vulnerable if the network is sold to a commercially driven transmission operator. Investment in infrastructure could be limited to serving those reached at the lowest cost. It is estimated that only 12 digital transmitters would be needed to reach 60 per cent. of the population, but that a further 68 transmitters would be needed to reach 90 per cent. of the population. The cost differential between those two options reveals the fact that the cost of reaching 90 per cent. of the population will be more than three times that of reaching 60 per cent. of the population. The risk is self-evident.

The second risk of leaving this public service in the hands of a commercially driven organisation is the BBC's subsequent ability to honour what will become an increasingly inflated transmission price. After investing its windfall in digital terrestrial television and digital audio broadcasting, how will it afford the costs of transmission without putting additional pressure on a licence fee that is vulnerable to public opinion and, I emphasise, guaranteed for only five years of the new BBC charter? The corporation argues that it has been given—or it has given us, anyway—important guarantees on the future cost of the transmission service, and what the cost will require. I am sure that the whole House would agree that those guarantees should come under close scrutiny in Committee. If they should prove to be inadequate, as I suspect that they probably will, an alternative must be provided—perhaps by offering the network as an operating franchise while retaining the hardware in the public sector.

I wish to concentrate on two critical issues. The first is that of the controversial Channel 4 funding. To arrive at a sensible and balanced compromise, it is important to assert that the formula is designed not only as a measure of protection, but as a complex revenue equation with implications across the broadcasting scale. Any intention to abolish the formula without careful examination of the facts and figures affecting all parts of the industry might have disastrous results.

The arguments for abolition are manifold. Channel 4 is obviously subsidising a shareholder network; it has paid out more than £100 million since 1994, which might have been invested in original programming and its highly successful promotion of the British film industry. Moreover, the formula is totally unpredictable and although ITV is indemnified against paying more than 2 per cent. of total qualifying revenue, Channel 4 has the unfavourable obligation of paying 50 per cent. of any profit made above 14 per cent. of the TQR threshold. That is manifestly unfair, and makes the channel's revenue forecasts and capital planning very difficult—worrying in an age of technological revolution.

Nevertheless, the arguments against abolition are equally convincing, not least because any change to the formula before 1997 would represent retrospective legislation and would undermine vital confidence in the Bill. We should, and must, wait until 1997, the year delegated for the formula's fundamental review, and not allow the detailed issues informing the debate to be given a premature delivery amidst the complex environment of the Bill.

It is crucial to remember that ITV paid more than £430 million before 1990 to protect and establish Channel 4. Moreover, at least six of the smaller ITV companies depend for their existence on the revenue contributions from the formula—contributions that were forecast and planned for in the confidential business plans that accompanied their licence bids. To restrict that flow before the planned review might have a serious impact not only on the individual television companies, but on the whole regional character of the ITV network. The subsidy is crucial to ITV's programming budget, allowing Granada in my area, for instance, to pay for "Granada Tonight", which airs five days a week, every week of the year, while maintaining the regional news operation in Liverpool, in addition to sustaining its entire regional current affairs output.

When put into perspective against Channel 4's 60 per cent. increase in United States imports and its failure to maintain the ITC's recommended 50 per cent. of original programming, the arguments begin to balance out. The threat to regional programming and regional programme making is significant, and an ill-considered abolition of the revenue stream supporting it would have very serious repercussions, not only on the quality and the quantity of regionally based programmes, but on employment, especially in those regions and especially in the north-west. It would be foolish and irresponsible to tamper with that formula before its intended termination date.

[Mr. Roger Stott]

Secondly, and finally, I shall discuss the radio industry. I was unclear in my mind about what the Secretary of State said in her opening remarks this afternoon about the issuing of licences to potential bidders for radio licences. I note, however, that a report in *Broadcast* magazine of 22 March 1996 claims that the Government propose to drop the current bar on one radio company owning more than one FM and one AM licence in the same local market. I feel very strongly that the proposed lifting of ownership restrictions is contrary to the public interest and is not in the interest of smaller independent radio companies. The proposed change would serve further to strengthen the growing monopolies that already exist in the local market and stifle innovation and diversity.

I am aware that the commercial radio companies' trade body, the Association of Independent Radio Companies Ltd., has pronounced in favour of such a change. It may not have made it clear to the Government that a significant minority of radio companies and their management think otherwise.

United Kingdom commercial radio is already dominated by a small number of principal groups, which account for 69 per cent.—463 out of 671—of the total points currently allocated under the Radio Authority's scoring system. The figure will presumably be increased by GWR Group's takeover of East Anglian Radio, which is currently being finalised. Individual companies are allowed to have up to 15 per cent. of the points allocated. Further, I would argue that the way in which the points system is structured—

Mr. Deputy Speaker: Order. Time is up.

8.6 pm

Sir Wyn Roberts (Conwy): I shall follow the hon. Member for Wigan (Mr. Stott) early in my speech, in that I shall emphasise the immensity of the transition that we are contemplating from analogue to digital broadcasting. It will be a major change, requiring considerable investment, not only on the part of the broadcasters—that we know—but on the part of viewers and listeners. For viewers, not only is the set-top box to be purchased but ideally there should be a wide-screen set.

The transition also means a great deal of investment for television and radio set manufacturers. They will have to adapt to the new system and we have heard very little about their plans to meet the demand which will, one hopes, develop because a higher quality of sound and picture is available. There is no guarantee of success, but there never has been a guarantee in broadcasting. When ITV and Channel 4 were started, there was concern about whether they would succeed; but to date most of our broadcasting ventures in this country have proved successful.

My right hon. Friend the Secretary of State is to be congratulated on introducing the Bill, which allocates multiplexes to terrestrial broadcasters and provides a basic shape for things to come. There is some dissatisfaction among the non-terrestrial competitors about the prior and superior access given to the terrestrials, but I cannot see how my right hon. Friend could have done otherwise in all the circumstances confronting her.

It is only fair to say, without being patronising, that their Lordships have been pretty thorough in their examination of the Bill; they touched on most of the points that I wanted to raise. On the sports issue, I find myself in sympathy with the hon. Member for Bassetlaw (Mr. Ashton): I am not sure that we pay sufficient attention to the fact that broadcasting rights, like rights of entry to sports grounds, belong to the sporting organisations, which must ultimately decide how the rights are to be disposed of. Arguably, the only rights that belong to all of us are news rights, which are different from highlights. News rights are not in dispute, so there is much to be said for unbundling. I am sure that the day will come when sporting organisations will simply use the media as an extra gateway to their events, and charge accordingly.

The argument about cross-media ownership is clearly very much alive. As I have said in earlier debates, I am firmly on the side of those who are likely to promote the richness of our regional life and character—the nurturing ground of so much that is good in this country and an antidote to our somewhat ruthless and arrogant metropolitanism.

Our regional and local newspapers have a case for being allowed to participate in the development of broadcasting, especially at a time when broadcasting needs investment on a significant scale—they must certainly not be disadvantaged by comparison with their national competitors. The Newspaper Society is right to argue that BBC local radio should also be taken into account in any calculations regarding density of coverage, and so on. But my right hon. Friend the Member for Wokingham (Mr. Redwood) is right in saying that other forms of coverage will also have to be taken into account. I also support the points made by my right hon. Friends the Members for South Norfolk (Mr. MacGregor) and for Sutton Coldfield (Sir N. Fowler).

I also support the ITV regional companies, which have given valuable service and provided diversity. HTV has done well in Wales and the west country, despite its heavy licence fee. It receives about £3 million per year from Channel 4 under the perverse formula established under the 1990 Act. So far as I can gather, the formula has few supporters other than those who benefit from it. It should be phased out, but probably at the time suggested—1997—which coincides with the renegotiation of the ITV licences.

Under the digital arrangements, Channel 4 will achieve coverage in Wales independent of the Welsh language channel S4C, which is to share half a multiplex and to be given some additional powers which will enable it to complement its Welsh language output with other, mainly English, programmes, preferably produced in Wales. The Welsh language programmes would be ring fenced financially so that no subsidy could find its way into the English output—just as the BBC's licence-financed programming is ring fenced against sponsored or advertising-financed programming permitted under the 1990 Act. I strongly support that development in the role of S4C, not only because the statutory body will thus be enabled to replace the programmes lost to it by the independence gained by Channel 4, but because there is a strong demand in Wales for English programmes of Welsh origin and such productions will provide a challenging stimulus to achieve high quality all round. I gather that there is some concern in the BBC at the

thought that S4C might produce English language programmes, but that matter can be sorted out through co-operation at an all-Wales level.

S4C is not out of the wood yet. It will lose advertising revenue with the loss of Channel 4 programmes and it must be given an opportunity to supplement its new formula funding. My understanding of Lord Inglewood's remarks as reported at column 1198 on 19 March in the other place is that the Government are fully apprised of S4C's needs and will be tabling amendments to meet them. I did not hear my right hon. Friend the Secretary of State mention such amendments earlier, although I did hear her refer to S4C. When my hon. Friend the Minister of State winds up the debate, I should be grateful for confirmation that the Government will table amendments.

There is hardly any need for me to tell my right hon. Friend the Secretary of State that S4C is highly valued in Wales, as is the BBC, HTV and our national newspapers, the *Western Mail* and the Liverpool *Daily Post*, which have a role to play when digital television and radio come on stream and there is scope for them to participate. There is much interest in the future of those organisations in Wales and the Bill is highly relevant to that future.

8.15 pm

Mr. Bruce Grocott (The Wrekin): I thought—in vain—that any new Broadcasting Bill introduced by the Government would begin with an apology to the viewing public and the House for the damage inflicted by the last Broadcasting Bill that the Government introduced in 1990. I was astonished to find that one of the architects of that Bill, who was a Minister at the time, was still trying to defend it. I can only state the obvious: the Bill profoundly destabilised ITV. Among the Bill's many defects was the ludicrous system of bidding for franchises that resulted in, among other things, Yorkshire Television paying £38 million for its franchise and Central Television, a more valuable contract, paying £2,000 for its franchise. If anyone wants to stand and defend that system, I should be interested to hear him do so.

As well as destabilising the industry in that respect, the 1990 Act led to substantial job losses—the number of people employed by ITV was roughly halved—and to the rundown of production facilities and the skills base in the regions. In my region, Birmingham, the result has been spectacular—a large studio complex has been greatly reduced. I would have liked to see some humility from the Government on the subject.

I should also like to see the Government show some humility for the way in which they have treated sport. In the limited time that I have, I wish to concentrate my remarks on an issue that interests not only many hon. Members but millions of people throughout the country: the coverage of sport on television and how it might best be safeguarded to ensure that major events are available live on channels that all of us can see. I also wish to talk about the related issue of ensuring that, at the very least, packages of highlights of other important sporting events can be shown on the major terrestrial channels.

The reasons are self-evident, but I shall rehearse them briefly. First and foremost, only by being on terrestrial channels can such events be seen by most people. Some 98 to 99 per cent. of the population—24 million households—have access to the main channels, while 15 plus per cent. of the population are able to see events on the other delivery systems of satellite and cable. The availability of major sporting events is of interest to a wider variety of people than those who are interested in sport. I hope that it is not overstating the case to say that the grand national is a national event and a unifying event—people talk about it, even if they are not necessarily that interested in horse racing.

The same principle applies to events such as the World cup or the Olympic games. They inspire the sports men and women of the future. If the Coe and Ovett triumphs at the Olympics of the early 1980s had been available only to a small number of the viewing public on satellite television, I wonder whether there would have been a rise in interest in middle distance running in schools and in sports centres around the country. The same may be true of Ian Botham's tremendous exploits on the cricket field in the 1980s. The arguments that major sporting events should be available to most viewers have been proven clearly. That manner of broadcast is the best safeguard for the future of those sports as it inspires young viewers to take them up.

The Government have a sorry record on broadcasting. The Broadcasting Act 1990 failed to provide proper protection—a fact that was recognised from the start. It provided protection only against pay per view and it did not protect against exclusive coverage on subscription channels. We do not always sign early-day motions that we are delighted to read out four, five or six years after the event, but on 18 February 1992, when coverage of the overseas cricket tour by the English test side was sold exclusively to Sky, 38 hon. Members signed an early-day motion which stated:

"That this House notes that the exclusive rights to the televising of World Cup cricket have been bought by B Sky B, thus ensuring that the vast majority of cricket-lovers will be unable to view the series; acknowledges that this is further clear evidence of the way in which so-called market forces restrict freedom of choice for the viewer; rejects the Conservative philosophy that offers choice only to a minority; and deeply regrets this further illustration of the profound damage being done to British television, once so admired throughout the world, by a Government which puts the interests of advertisers and company profits ahead of viewers and programme-makers."

Four years on, I say amen to that. I do not think that anything has happened subsequently to detract from the strength of that argument.

Following the signing of that early-day motion, the National Heritage Select Committee—of which I was very pleased to be a member under the chairmanship of my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman)—published a report in July 1994 that recommended that the listed events should be protected for subscription as well as pay-per-view coverage and that the list should be reviewed. Like the early-day motion, the report was ignored by the Government. Last year, I introduced a ten-minute Bill that proposed to implement the Select Committee report. The Government ignored it and they advanced the same argument that market forces should be respected at all times.

Now, squeaking and objecting, the Government have finally been forced by a vote in the other place to offer some form of protection. However, I have no confidence in the Government's commitment as they were forced into it. Their arguments against giving some form of protection to the coverage of major sporting events are fallacious. My hon. Friend the Member for Bassetlaw (Mr. Ashton) often uses the same arguments and I disagree with him profoundly.

[Mr. Bruce Grocott]

Conservative Members argue that we will pauperise sport if there is a lack of competition within a free market. In fact, ITV bid £260 million for the Premier league rights that Sky obtained with a £300 million bid. The difference between the two sums is admittedly a lot of money, but £260 million is not exactly peanuts. Therefore, it is ridiculous to suggest that we are pauperising sporting clubs by allowing the terrestrial channels to make bids.

The idea that there is a free market force between the satellite channels on the one hand and the terrestrial channels on the other is also quite ridiculous. It is rumoured that Sky will bid £100 million per year for the Premier league when that comes up for renegotiation next year. The total sports budget of ITV—a station that is accessible by all—is about £50 million and its entire programme budget is about £570 million. How can it compete with a subscription channel that is able to pay £100 million per year? Where is the level playing field and the righteousness of market forces? As a result, fewer people will be able to see major sporting events.

In the two minutes remaining to me, I shall make a vain plea to the Government. They have not listened to us in the past four years, but eventually they have been forced to take action. Mercifully, the Conservative Government will not be around in another four years, so we shall not be able to test the theory any further. The Government should adopt the Select Committee report. They should review the list of eight events; it is not sacrosanct. The list does not include rugby, golf and a number of other sports that should be considered. We must "unbundle the events"—to use the famous phrase. We must ensure that events such as the Ryder cup, which disgracefully was not available to most people last year when a very important match was played, are spread between the two channels.

At the heart of the Government's mistaken approach to broadcasting is their apparent obsession with the delivery system and with a managerial structure. They are obsessed with whether programmes are delivered terrestrially, by cable, by satellite or whether it is digital television. It does not matter whether programmes are delivered by carrier pigeon if the programme being sent is rubbish. What is important in television is the quality of the programmes that are delivered to the viewers. That depends on having a home production base; it means having quality regional centres of production; and it means putting the viewer first.

8.25 pm

Mr. Roger Gale (North Thanet): At the outset, I declare an interest in the debate as a member of the Broadcasting Entertainment Cinematograph and Theatre Union, of the National Union of Journalists and of British Equity.

The Bill is designed to take broadcasting through the digital revolution and into the 21st century. To the considerable extent that it will help to achieve that aim, I welcome it. I share the view of my right hon. Friend the Secretary of State that the entertainment part of the revolution will be programme led, rather than technology led, and that there is a need to stimulate investment not only in digital equipment but in programmes made for digital transmission.

The United Kingdom's programme-making abilities are second to none and there is every reason to believe that we can lead the world in that field. I certainly subscribe to the view that a few good channels will be better than hundreds of bad ones. That is why I am certain that it is also right to seek to promote digital development through incentives for terrestrial television, using the vehicle of existing programme companies. Therefore, I welcome the digital capacity that the Bill will make available for free-to-air public service broadcasters as well as the opportunities that it will create for innovative subscription and pay-per-view services.

The much-vaunted satellite direct-to-home channels may have had their day and satellite may revert, as perhaps it should, to being merely an efficient means of delivery to cable head end. I believe that what we are discussing today is no more than another interim milestone on the road to the fully interactive domestic communications services that will almost certainly have to be delivered by broad band cable.

The danger in another place was that the Bill would become the "TV Sport Bill"—we have heard echoes of those sentiments tonight—to the exclusion of much that is arguably more vital to the development of broadcasting and communications. I hope to serve on the Committee that examines the Bill. In Committee, we shall no doubt return to the provision of sports coverage and the thorny issue of "unbundling" and also examine in fine detail the Channel 4 formula funding. I am sure that we shall consider future "must carry" provisions for public service broadcasters, the minutiae of cross-media ownership regulation, definitions of "control" and the outlawing of warehousing. We shall need to examine the way—I believe that it is the unfair way—in which the Bill is loaded against regional newspapers and local radio stations. We shall have to return to the arguments surrounding the determination of an analogue switch-off date.

In the few minutes still available to me, I shall address what I believe to be some omissions from the Bill: the licensing of conditional access systems, the need to create an environment for the development of a single standard of set-top or set-in decoders and the need to create a communications commission to meet the requirements of a fully integrated industry.

There is a general consensus among the existing regulators—the ITC and the BBC—and the British Radio and Electronic Manufacturers Association, without which there will be no sets on which to watch digital television, that the Bill does not adequately deal with the fact that the viewing public do not want a multitude of decoding boxes to unravel their multiplexed subscription channels. It is also recognised that the proposal that Oftel should license conditional access services under telecommunications legislation does not go far enough. It certainly does not embrace the analogue services that may be with us for several years to come.

I am persuaded of the need for a set-in rather than a set-top decoder that will handle all multiplex terrestrial systems. That being so, I have reached the inevitable conclusion that the Bill must give the ITC the power to take into account proposals for technological co-operation when awarding multiplex licences. I say that on the assumption that demand in the medium term will be for terrestrial receivers rather than satellite dishes, which will become irrelevant.

There should also be further proposals to guarantee fair and open access to existing conditional access systems, although we should concentrate on the digital future rather than the outdated analogue history that is BSkyB.

By far the greatest omission from the Bill—and the greatest need—is the creation of an integrated communications commission. We are boldly about to merge the Broadcasting Standards Council and the Broadcasting Complaints Commission.

In a recent press release, National Transcom Ltd.—a company that some will still remember fondly as IBA Engineering—announced its acquisition by the cable operator CableTel. It stated:

"Together, NTL and CableTel will offer a broad range of entertainment, information telecoms and other transmission/broadcast services. In entertainment, CableTel's local cable television networks and NTL's national broadcast network provide immediate, effective and efficient TV and radio transmission. NTL is world leader in Digital Terrestrial TV and Digital Audio Broadcasting.

In information services, the acquisition will further extend the reach and capacity of CableTel's national Internet access service, Cable Online. The broadband capabilities of the companies' combined networks make them particularly well suited to advanced interactive services.

CableTel and NTL taken together also currently provide advanced telecoms services for business users, satellite uplinking and downlinking facilities, turnkey studio and transmission systems, telecommunications site facilities and a full range of services for the mobile radio sector."

That surely demonstrates the increasing convergence of systems. We need a framework for the development of that environment.

I am not advocating the ministry of truth that lurks beneath the Opposition's proposals, but a light touch regulator and facilitator bringing together the work of the ITC, the BBC board of governors, Oftel, the Independent Committee for the Supervision of Standards of Telephone Information Services, the Radio Authority, the Data Protection Registrar and the Broadcasting Standards Commission.

We have yet to take a long hard look at the year 2020, to decide what the world of communications is likely to look like and to work out a logical, step-by-step approach to get there. However, 20:20 vision will be needed if the United Kingdom and Europe are to have a co-ordinated communications industry that can compete on a global scale. We shall require a director general of communications, presiding over a main board comprising the director of television, the director of radio, the director of news, the director of data and the director of standards, in order to manage what comes out of the all-purpose digital electronic console that each of us will have to bring information to our homes.

The runaway maverick growth of the Internet, with all its power for the dissemination of good and evil, should have taught us that our present structure is creaking at the seams. In the fast-moving development of the awful super-highway, we can be certain only that the pace of change is likely to outstrip rather than lag behind our imagination. We can, however, put in place systems that are sufficiently flexible to manage and accommodate both foreseeable and as yet unforeseen developments. We shall not do that unless we are prepared to embark on a seriously radical overhaul of existing empires.

We shall soon know whether the coming months will deliver at least the footpath towards the gravel track that leads, via the B-road and the trunk road, to the super-highway, or whether we shall turn up a lane and find ourselves in a farmyard of antiquated ideas. The opportunities afforded by the former will deliver for the United Kingdom a place as a brand leader in the European Union communications industry; if we take the latter path, the fast lane will pass us by.

8.34 pm

Mr. John Maxton (Glasgow, Cathcart): I agree with the hon. Member for North Thanet (Mr. Gale) on one point: that cable is the future rather than satellite, which is essentially outdated technology. However, it will be years before cable is laid throughout the greater part of Britain. It has been said that cable will reach some 52 per cent. of households by the year 2005. Cable will probably never reach rural areas. However, there is already a cabling system that reaches nearly every household in the country. It is organised by BT. Until the Government wake up to that fact and give BT the right to be a broadcaster, there will be slow progress towards customer delivery in terms of cable.

That makes a mockery of the views of the Secretary of State, who said that she represented the needs of viewers and customers. She is denying the vast majority of people in Britain the right to view cable television because she is not prepared to concede that BT should be allowed to be a broadcaster.

Once again, I disagree with my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman), the Chairman of the Select Committee. What he said about the BBC does not represent the views of the Select Committee. My right hon. Friend has never understood that the quality of BBC output is closely related to the fact that it is funded by the licence fee. If the BBC were not funded by the licence fee and depended on market forces and selling its programmes in the market place, the quality and standard of its programmes would drop dramatically and it could lose a large part of its market appeal.

I now follow my hon. Friend the Member for The Wrekin (Mr. Grocott), who spoke about sports broadcasting. My right hon. Friend the Member for Copeland (Dr. Cunningham) said that Sky was innovative and imaginative. To what was he referring? I have cable television and I have all the Sky channels. I can watch films made by film makers, BBC programmes that are 10 years old, ITV programmes that are 10 years old and American programmes that are also 10 years old. What on earth has Sky produced? I cannot think of a single programme—*[Interruption.]* I take that back in respect of my hon. Friend the Member for Great Grimsby (Mr. Mitchell), although it may prove my point. What Dennis Potter plays has Sky produced? What drama has it produced? The answer is practically none.

The channels that Sky uses as a loss leader to make people buy its systems are the sports channels. It is prepared to spend enormous sums of money on its sports channels in order to make people subscribe. In doing that, Sky is denying most of the viewers and customers for whom the Secretary of State expresses such great concern the right to watch many of our great sporting events.

In the other place the Government said that it is all down to market forces and that we cannot deny sporting bodies the right to sell television rights wherever they choose. I dispute that. Last year, the Government, through

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the sports councils and now through the national lottery, gave £285 million to sport. If we include the money spent by local authorities that have provided swimming pools, sports halls, running tracks, football pitches, rugby pitches, hockey pitches and so on and provided local sports development programmes, it is clear that the public purse gives enormous sums of money to sport and therefore, in my view, the House and the taxpayer should have a say as to where the television rights for those programmes go. They have a right to say that they want to see the major programmes. If we cannot watch Premier league football on BBC, why on earth should we give taxpayers' money to the grass roots of football? I assure my hon. Friend the Member for Bassetlaw (Mr. Ashton) that none of the money that goes to Premier league football from Sky goes to the grass-roots of football to encourage people to play, to maintain pitches or to build pavilions for small clubs. It all goes into the Premier league clubs' pockets to pay higher wages to football stars and to build new stadiums for spectators. It does not encourage one person to go out on to a football pitch and play football. That is the other reason why we put large sums of money into sport from the public purse. We believe that participation in sport is good for the health and welfare of the nation.

If I look around me, I might say that most of the hon. Members present do not look as if they agree that taking part in physical activity is good for our health, but that is increasingly the medical opinion. Running, jogging, playing tennis or squash or taking whatever exercise is good for people. Showing sport on television is one of the ways to encourage participation. We put money into sport to encourage participation and showing sport to the largest possible audience is a way of achieving that. Next Sunday, we will see the London marathon on the BBC and that encourages people to try to get fit. Only a small percentage will continue, but that small percentage is worth getting. If the marathon were shown on Sky, that participation level would drop dramatically.

We have the right to say what happens to the television rights. It has been argued that we might open a Pandora's box if we table amendments on Report to extend the list, but that is exactly what I intend to do. I intend to table amendments in two areas and others will think of other sports that they want to put on the list. I want to include the Five Nations rugby championship as a listed event so that it stays on terrestrial television, because it actively encourages people to take part in sport. Incidentally, we should consider what has happened in rugby. As soon as the television money increased, 24 clubs turned professional and demanded all the money from the television rights. That money will not go down to the grass-roots of rugby: it will pay the players' higher wages and will go into directors' pockets. We must not allow that to happen. I would also put the British Open golf championship on the list. It is absurd that it is not on the list, because it is a major sporting event.

The Government must reconsider the whole issue of sporting events on television. We need to extend the list and to ensure that the money that goes into sport feeds down to the grass roots of the sport and does not stay at the professional level. The money should ensure that people can have good facilities. That does not apply now, so I hope that the Government will think again.

8.42 pm

Mr. Toby Jessel (Twickenham): I have served on the National Heritage Committee with the hon. Members for Glasgow, Cathcart (Mr. Maxton) and for The Wrekin (Mr. Grocott). They know that I respect them as good parliamentarians, but I do not know what the pair of them have gone on about for the past 20 minutes. They have been tilting at a non-existent windmill.

On the televising of big sporting events, both hon. Members are aware that the great national sporting events will be televised on the popular channels. Many Conservative Members, too, supported that, and if the House of Lords had not bothered with an amendment, there could have been an amendment in this House, which might have been carried, but both hon. Members went on as if we had the situation of three months ago, before the Lords' amendment. The great sporting events will be televised so that everybody can see them, and it is hard to see what those two hon. Gentlemen were complaining about.

The Bill is excellent, and I am glad to be able to support it and the major changes it foreshadows, including not only those on the coverage of sporting events, but those on Channel 4, cross-media ownership, the V-chip and digital broadcasting.

I wish to make a point about music on the BBC. The BBC has traditionally been a great patron of all the arts, but especially plays and music. In the National Heritage Committee's recent report on the funding of the arts, we referred to the important role of the BBC. Too large a proportion of broadcasting on Radio 3 and other programmes is of recordings, and there is not enough patronage of live performances by young British artists.

I remember when Radio 3 broadcast many young pianists, violinists and singers who were starting to make their names. They were not very well paid, but I doubt whether the cost would be any higher than playing a recording of a symphony orchestra and having to pay royalties to the recording company and to the symphony orchestra. Likewise, the BBC does not put on very many young British composers. I want the BBC to reassert its traditional role, because it is a very important part of our national life. Britain is very strong in music and we should build on our strengths. The BBC should always play a leading part in that.

I am concerned about the question of political impartiality in the BBC. When my right hon. Friend the Secretary of State spoke earlier, my hon. Friend the Member for Hendon, North (Sir J. Gorst) made a telling intervention and invited my right hon. Friend to comment on the question of impartiality in the BBC. As I see it, that question interacts with the probability that the BBC charter that is to begin at the end of this month for 10 years will probably be the last.

When the hon. Member for Cathcart mentioned what the right hon. Member for Manchester, Gorton (Mr. Kaufman)—the Chairman of the National Heritage Committee—had said, he did not have enough time to give the whole picture. The right hon. Member's main point about the BBC was the steady decline in the size of its audiences, partly because of the growth of channel 3 and Channel 4 and the growth of cable and satellite television and partly because fewer people wanted to watch the BBC's high standard productions. In the Select Committee report on the future of the BBC,

we showed that, in 1989, 49 per cent. of all viewing of television in this country was of the BBC. By 1992, the figure had already declined to 44 per cent. and the decline is a continuing trend. In another 10 years or so, the figure is highly likely to be about 30 per cent. and the growth of cable and satellite has been faster than we predicted two years ago when we produced that report.

The question arises whether the British people will tolerate a compulsory licence fee for a service that only 25 or 30 per cent. of people are likely use by about 2010. Coupled with that, there is a growing evasion rate, from about 7 to 8 per cent., of people who do not pay the licence fee. That is a criminal offence and enforcement and detection are increasingly difficult. Two thirds to three quarters of all those convicted were women and, in many cases, were women pensioners or single or unmarried mothers who could not pay the licence fee. All those tendencies make it likely that the licence fee will, in the end, go and that this charter will be the last one. In that context, anyone who is working for the BBC will feel much more uninhibited about being partial in their broadcasting than they would have done if they thought that that might affect the next charter, which would have run from 2006.

I do not believe that the journalists in the BBC are so impartial as they used to be in the days of Lord Reith or when his tradition, after his period as director-general of the BBC, still tended to prevail. There is a lot of partial reporting on the BBC, as one can hear in the "Today" programme after breakfast. Whichever Government are in office, there will be a tendency for BBC journalists to tilt against that Government because it makes more news to tilt against authority than it does to report impartially.

The impartiality of the BBC is now in decline, and unless some action is taken it will grow. I realise that it is impossible for my right hon. Friend the Secretary of State, in the course of the Second Reading debate, to give any firm commitment, but I am glad to see that she has returned to the Front Bench after having to go out for a short time and I very much hope that she will consider that point most carefully and discuss it with the BBC to see what can be done.

I think that there should be an ombudsman to deal with partiality complaints against the BBC. We already have 18 or 19 ombudsmen in Britain and one more would not be disastrous. Of course the BBC detests that idea, but no one can be impartial when judging his own impartiality. That should be done by someone from outside. An ombudsman is to be preferred here. Otherwise, as a fallback position, I suppose one could consider making one senior governor of the BBC responsible for the investigation of complaints of partiality, but he would have to have his own staff who were not on the books of the BBC. If BBC officials were doing the work for the governor, they would tend to vindicate what had taken place and there would not be the test of impartiality which I, for one, want.

I very much hope that my right hon. Friend the Secretary of State will be good enough to take that on board and consider it carefully, taking it in conjunction with the intervention of my hon. Friend the Member for Hendon, North. I also hope that she will take note of some very sensible views on the matter that have been put in the other place and which I believe have been represented to her. I would also be glad if my hon. Friend the Minister of State would be kind enough to refer to my point when he replies to the debate.

8.52 pm

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): I can tell the hon. Member for Twickenham (Mr. Jessel) that in the nearly 30 years that I have been a Member of the House I have found that Governments of all complexions complain about the BBC. I remember Harold Wilson once calling the 1 o'clock news programme "Lies at One". It may be one of the functions and roles of the BBC to tilt, as the hon. Gentleman described it, at authority and at Governments of the day.

I want to confine my remarks in the time available to essentially Welsh issues and to consider what impact the Bill and the changes that it forecasts will have upon the Welsh broadcasting scene.

First, as a veteran of the previous Broadcasting Act in 1990, and as one who, like others, was horrified at the consequences which led to the incredible nonsense of HTV paying nearly £20 million and Central paying £2,000, the consequences of which we have been living with ever since, I think that we should consider the historic context in which we now come to consider the role of commercial television—regional terrestrial commercial television in the case of HTV in Wales as a national commercial television company.

Secondly, we shall have to consider the issue of S4C. In that context, I have to declare an interest under the new rules in that my wife is a member of the S4C board. Thirdly, we shall have to consider—we have not talked much about it—the role not just of the BBC in the digital age but BBC Wales or the regional and national BBC broadcasts on both radio and television, and the changes that the digital age might bring not just to the national BBC scene but to the regional scene or, in the case of Wales, the Welsh national BBC scene, both radio and television.

The difficulty with a Bill such as this is that it tends to compartmentalise issues. There will be clauses on S4C, on BBC and on the regional commercial terrestrial stations, but in Welsh terms, there should not be such compartmentalisation. Wales is in an interesting but potentially fragile position in that it will have two publicly funded broadcasting stations. Both BBC and S4C will be dependent on funding from the state.

If I have the privilege of being selected to serve on the Committee, I am sure that we shall have the opportunity to debate the funding arrangements and the concerns expressed by S4C in relation to the changes in the funding formula. It was probably not well advised to sneak into the Bill—I think that sneak is probably the right word—a change in the S4C formula without real meaningful consultation. Beyond that, the other major change that digital will have on S4C is that it will at last divorce Channel 4 programmes from S4C.

I come from a constituency which is predominantly non-Welsh speaking and there has been a growing tension there and in parts of other communities in south-east Wales about the non-availability of Channel 4 programmes, at least at the same time as they are broadcast on Channel 4. In that context, S4C should give more and greater consideration to the scheduling of Channel 4, but when the divorce takes place, and when

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digital television allows Channel 4 to be broadcast separately and therefore accessible to Welsh viewers, there will be a large and significant gap in the S4C schedule. The question is how that gap will be filled. Who will fill it and how it will be filled will be big issues that link seriously with the question of the role of BBC Wales and the terrestrial regional commercial station in the form of the present HTV.

One of our real passions about Welsh national broadcasting, whether it be BBC, HTV or S4C, is that they are the new patrons of the arts. Whereas in the 18th century Handel was financed by the courts and the palatinate, the modern patrons of new writers, new programme makers, and new artistic talent, are the major broadcasters who commission the programmes. S4C has played an important and significant role in developing the Welsh language side. What has not happened to the same extent, inevitably, has been the development of the English-speaking Welsh potential in programme making, in writing, and in the artistic endeavour that is related to the broadcasting scene.

S4C's budget to promote and develop programme making in Wales in the Welsh language is £63 million. BBC Wales and HTV contribute £25 million towards programme making in Welsh terms. We have therefore to think hard about how each compartmentalised piece of the Welsh broadcasting scene will relate to the others in the new age.

I want, fourthly, to raise the issue of the independence of commercial broadcasting in the light of the fact that, frankly, the Bill is a charter for takeovers; it is a liberalising Bill, as the Secretary of State said, and that means takeovers. The Bill will allow a growing concentration of power within the terrestrial television scene, and companies such as HTV are easy victims for the takeover bids that are likely to flow from it. In that context, clause 67 will be extremely important. We have gone over it again and again and shall continue to do so in Committee to see whether it will be able to defend the regional—or, in Welsh terms, the national—commercial position of a company such as HTV, which should maintain editorial and managerial control in Wales.

In that context, I listened hard to the right hon. Lady. In the other place, there was much debate about whether one should add an additional subsection to the proposed new section 21A in clause 67—I think that it was 21A(4)(c)—so that the ITC would have the power to defend editorial and management control in the region. In HTV's case, it would be Wales. I think that it was Lord Inglewood who gave assurances that it was only because of the lack of time that there was no change to that clause. When the Minister replies, will he please confirm that the Government intend to introduce such a change, as foreshadowed in the other place? It will be extremely important to see whether the clause will be able to stand up and whether the controls of the ITC in defending the regional character and nature—in Wales, the national nature—of commercial television will be sufficient to stand against the powerful takeover bids that will take place.

I am a little surprised at the sanguine nature of hon. Members—even my colleagues on the Front Bench—about the concentration of power that the Bill could promote. In theory, it will be possible in the new age after the Bill for a company to own four terrestrial, regional licences and to have 14.9 per cent. of national viewers, but 40 per cent. of advertising revenue. Unless we do something about it, it will also allow the systems of control to be manipulated cynically. I think that the words are "warehousing" and "deadlocking"—ways to avoid and get around the systems of control. I seek an assurance from Ministers that they will support proposals that will be made by the ITC and the Radio Authority to stiffen the definition of control to outlaw the cynical manipulation that we have seen in some major companies in anticipation of the free-for-all that they think will be the consequence of the Bill.

Unlike some hon. Members, after being here all these years, and as I grow older, I have grown more suspicious about concentrations of power. I do not believe that we should support a Bill that will promote budding Citizen Kanes, as it will not be healthy for public broadcasting or for democracy in this country.

9.2 pm

Mr. Hugh Dykes (Harrow, East): As an hon. Member who must be one of the least expert in this complex subject, I welcome the chance to make a contribution. *[Interruption.]* I am glad that my hon. Friend the Minister is trying to encourage me to be immodest on this occasion, but it is true. It is sometimes the ones who have the more amateur view on extremely complicated matters who may be able to provide some suggestions, although, having listened to the high quality of the debate tonight, I have doubts about that, as I am surrounded by a considerable number of experts.

There is no need for us always to stick rigidly to the party political stance of either side of the House on these matters. I was extremely impressed with some of the powerful remarks made by the hon. Members for The Wrekin (Mr. Grocott) and for Glasgow, Cathcart (Mr. Maxton), who is not in the Chamber at the moment, and who made an extremely important point that rugby should be generally available.

I declare one modest interest as a shareholder in Carlton Communications plc—the subsidiary of which runs the weekday television services in London—and which also has other television and related interests, but that does not mean that I shall refer to any of its preoccupations tonight.

A misunderstanding can arise because of the way in which the Bill tries to mix a number of very different and complex elements that make me uneasy. I am not uneasy about supporting the Bill on Second Reading—and, incidentally, my right hon. Friend the Secretary of State, who handled an extremely difficult brief with great skill. I hope that she will not mind my saying that I get the impression that she enjoys her new portfolio perhaps more than her previous one, where she also had arduous duties, but she handled the complexities very well, so I am happy to support the Bill.

I am uneasy about the underlying subject matter of the Bill and whether the House of Commons, which is an amateur Parliament in the definitional sense, although plenty of national heritage and media experts are gathered here tonight, is able to cope with and grasp the future of this fast-developing, high-technology matrix of new developments in electronic television communications, and mix it up with the other elements of ownership and concentration, cross-media ownership, conditional access and all the other things.

Given the bewilderment that we all feel, I urge those who deal with the Committee stage to try to find a solution that will hold for at least some years to come. Even given such a solution, the ensuing approach is bound to be experimental, complex, uncertain and hesitant: we are reaching out to an entirely new electronic system—a system that is international—while at the same time trying to embrace the old notion of public-sector, high-quality broadcasting combined with competition and commercial opportunities.

My hon. Friend the Member for Twickenham (Mr. Jessel) referred to the BBC. I think that any ombudsman system, presumably built into the combined commission created by the Bill, should not just investigate complaints of bias on the part of the BBC—which I consider grossly exaggerated—but should carry out general investigations, under its existing and future reinforced remits. Any other arrangement would be unfair.

The Bill provides for a merger between the Broadcasting Standards Council and the Broadcasting Complaints Commission. It is essential for the resulting body to be extremely powerful and authoritative. I pay tribute to what the ITC has already achieved: it is an impressive and well-run organisation, built on its predecessor. Nevertheless, it needs more strength and more psychological support from all of us here, and from everyone in the industry.

I fear that the Bill will not do enough to prevent a huge upsurge of violence on television. The code of conduct provides for more such programmes to be shown late at night, but, as we all know, children stay up later now. Sadly, that is the present family syndrome. On the BBC as well as other channels, children—and, indeed, adults who may not be able to handle all of it—see increasing amounts of sickening violence. I believe that, today or yesterday, someone said that 400 people were killed on television every week.

However, I also pay tribute to the BBC for the extremely high quality of television that it has achieved. We are unique in that regard. A great service was done to this country and Parliament by the licensing system, and by my right hon. and learned Friend the Member for City of London and Westminster, South (Mr. Brooke), the previous Secretary of State for National Heritage, before he left the Government: he more or less saved the BBC in its present form—although some changes were made at the margin—for at least five and possibly 10 years. That elevated standards for other programme makers, and increased competition rather than detracting from it. New opportunities have been given to the channel 3 companies, as well as to Channel 4.

We all pay tribute to Channel 4 for its achievements, and the way in which it has changed over the years. It has been a tremendous success. When it was first set up, most of my Conservative colleagues rubbished it, expecting it to be a subversive medium. That turned out not to be the case, for many reasons that I have no time to give.

I like the idea that was presented in the House of Lords—the proposal for a register of the interests of people involved in broadcasting who have other outside interests and are linked to those interests, or to the promotion of a particular case or argument, in the television medium.

I believe that the proposals were tabled by Lord Chalfont and the Earl of Northesk—a gentleman I have not yet met—in an amendment that suggested that the public should be given information about outside consultancies held by broadcasters, their financial interests and their membership of or affiliation to any political parties, all of which could influence the way in which broadcasters provide broadcasting services. As a result of various technical and late-night arrangements in the other place, the amendment was not proceeded with; I imagine that not enough peers were around at that time of night even to consider the subject. None the less, I feel that it is worth our considering the proposal in Committee.

Cable television has received less attention than some other television matters that have been mentioned in this lengthy debate. It is all very well saying that cable television will grow inexorably, and will eventually reach more than 50 per cent. of households—mostly urban, for obvious reasons. I have my doubts about the weaknesses of some of the existing companies—I deliberately mention no names, and there are notably strong exceptions—and I do not think that the future of cable television in Britain looks very good. That poses problems for those who believe that merely widening the choice of services and facilities will automatically have a beneficial effect and will increase competition and consumer choice.

Lest my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler) misunderstands my remarks about the quality of journalism in News International, I should tell him that I was not speaking about what he mentioned: we have already discussed that. Is there any evidence that the volume and quantity of Sunday newspapers are the result of what the consumer wants?

People say to me that the Sunday newspapers are a nuisance, and that they are far too bulky to read. They say, "I read only one, or glance at the headlines." We all know that it is just a ramp by newspapers to increase advertising, and that between the advertisements there are a few boring articles, supplements, extra editions, television magazines and rubbish.

If people can get away with it, that is commerce and business, and I pay tribute to their chutzpah in doing it, but the idea that nine or 10 Sunday newspapers is the result of pressure by consumers is utter nonsense. We are kidding ourselves if we heed the exponents of the industry and its highly paid executives who say, "We are just responding to consumer demand and choice." I hope that we can bear that in mind without being paternalistic and patronising to the public. It is the other side of the reality. Competition and choice is good but we must not overdo it. High quality must be our main target, and that will be the BBC's triumph in future.

9.11 pm

Ms Roseanna Cunningham (Perth and Kinross): In no way is the Bill ideal legislation. It looks like several different pieces of legislation cobbled into one in the vain hope that, by calling it the Broadcasting Bill, the Government will make people think that the Government have done their work in the area. The Government have been poor broadcast legislators, either shutting the stable door after the horse has bolted, or inventing schemes and conditions that do not relate to or even reflect the pace of innovation in the media.

The Secretary of State and some hon. Members spoke about the BBC. In their democratic supervision of the BBC, the Government have over-criticised and under-regulated, and the result is a system of so-called

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public broadcasting which at network level does not provide anything like the service that it should. At that level, it certainly does not reflect the diversity of these islands.

The review of the BBC charter was an exercise in missed opportunities, with the BBC effectively writing its own licence to broadcast as the voice of London in an inefficient and anti-democratic structure presided over by a centralist and determinedly metropolitan management. There remains little attempt by the BBC to deal with the different realities of Scotland, Wales and Northern Ireland.

The BBC makes only 3 per cent. of its programmes in Scotland, Wales and Northern Ireland, yet those areas are inhabited by some 17 per cent. of the United Kingdom's population. The promise to increase programme making out of London amounts to only an extra six hours a week, because news, parliamentary reporting and sports reporting are excluded from the commitment. But those are the areas where the priorities of the minority nations can be most different. As I said in another debate, 97 per cent. of the BBC news and current affairs programmes seen in Scotland come from London, where there is enormous difficulty, whether out of ignorance or because of wilful disregard, in coming to terms with the four-party system.

In the commercial sector, a decrease in regulation may be a welcome move in future, but only in circumstances where there exists a properly funded, high-quality public service broadcasting system operating through a variety of channels and stations and reflecting the needs of all parts of the United Kingdom. That does not currently exist, so the debate and the Bill are in a vacuum. There is no real attempt to look at the totality of broadcasting; only a piecemeal approach that does no one any service.

Since 1979, broadcasting has been debated in the House 109 times, but only one major piece of legislation has resulted. That was the Broadcasting Act 1990, which led to a shambolic sale of independent television licences, the provisions of which have already had to be amended.

In the period from 1979 to now, broadcasting has undergone not one but several revolutions. In fact, the broadcasting industry has changed out of all recognition. Faced with that change, the Bill is basically a ragbag of provisions that attempt to define the future of broadcasting from a position of little practical knowledge of its present dynamic.

Indeed, there are a number of omissions in the Bill. For example, there is no new provision for community radio and its future, yet community radio stations are a part of broadcasting. What is needed, especially for Scotland and Wales, is a systematic evaluation and review of what is possible, what may be possible and what should be possible. It is obvious that there is little chance of such a review emerging from this Parliament, much less this Government.

We must deal with regulation. Much of the regulatory framework is outmoded in an age of free communication via the Internet—of which I am an enthusiastic supporter—on which multi-sourced, real-time television broadcasting will be possible and practicable within a few years. Real-time audio is already here. We face the prospect of instant communication by computer screens that are also television receivers.

In such changed circumstances, none of which is entirely unpredictable, the Government might be better employed in strengthening and resourcing public service television rather than creating new legislative barriers for the establishment of television and radio services—barriers that will be outmoded and restrictive almost immediately the Bill is passed.

The Government's role should be to provide and nurture high-quality, freely accessible, publicly informative and educational broadcasting outwith direct day-to-day political interference, but within a democratic framework of accountability. With such services at the centre of governmental concern, the alternative commercial services might simply be allowed to find their own levels in the market, within the usual legal bounds of decency and free speech. However, the two should develop together. Without a commitment to public service broadcasting—a commitment which does not appear to exist—an unregulated commercial sector carries with it serious dangers.

National Governments should support and encourage public sector broadcasting. Commercial concerns would select national or international markets and appropriate transmission systems and cyberspace would be inhabited by all those types of broadcasting and many others. The question of cyberspace should be for the widest of international bodies, but with only the lightest of regulation. We might call it the application of subsidiarity to broadcasting.

Speaking of subsidiarity, the maintenance of so-called regional programming is also a matter of public and political concern. Within Scotland—as, presumably, within England—regional programmes are an important part of the programming schedule of the commercial television companies. Grampian Television, which covers my constituency, is a thriving and fiercely independent company, providing important and popular local programmes.

It is essential that both the quality and the quantity of regional programmes increase and do not lessen, regardless of any changes in ownership or control. I hope that editorial control and decision-making will be maintained within the regional areas, and that regional programming is given a wider definition. Equally, I hope that prospective or new licence holders will have their commitments to regional programming investigated even more rigorously than at present, so that there is no question of takeovers proceeding on a false prospectus. That is especially important for the minority nations of these islands. It is even more important for the minority peoples and their languages. It is something often forgotten in this metropolitan centre.

It is worth remembering that cultural, ethnic and linguistic diversity exist even within the constituent nations of these islands—thus, Grampian Television has a responsibility to that dialect of the Scots language known as Doric, just as all Scots broadcasting has a responsibility to Scots and Gaidhlig. That is only one part of the regional programming responsibility—there are clearly many others—and it needs to be safeguarded and encouraged.

Finally, while on the subject of linguistic diversity, I hope that the Government will respond as positively as possible to the representations of S4C on digital capacity and funding.

Mr. Cynog Dafis (Ceredigion and Pembroke, North): I am glad that my hon. Friend has raised the question of

S4C. Perhaps she will elicit from the Government Front Bench a guarantee that S4C will be properly provided for, both in digital space—so that it has half a multiplex, which is what it should have—and in sufficient funding to meet the extra costs and the challenge of the increased competition that will come with digitalisation.

Ms Cunningham: I certainly hope that there will be a response to that intervention, because, had my hon. Friend allowed me to continue, it was the point that I was going to make.

I hope that the Government will respond to S4C's representations on digital capacity and funding. More widely and in the longer term, I hope that they will also respond positively to Comataidh Telebhisean Gaidhlig in its desire for a gaelic equivalent to S4C, and, in the interim, consider granting it powers directly to commission programmes that will widen the choice that is currently available in Scotland.

9.20 pm

Mr. John Greenway (Ryedale): I begin by reminding the House of my interest as an adviser to Yorkshire Tyne-Tees Television. I make no special pleading in this debate for Yorkshire Tyne-Tees Television, but I should like to place on record three facts that go to the heart of some of the issues that have been discussed in this interesting and high-quality debate.

First, Yorkshire Tyne-Tees Television refused to broadcast a number of pornographic television programmes on the network. In all the talk about the V-chip, it seems to me that broadcasters exercising responsibility is without question the best way of ensuring that that type of material is not beamed into our homes.

Secondly, Yorkshire Television makes and produces "Heartbeat" in North Yorkshire, in my constituency and that of my hon. Friend the Member for Scarborough (Mr. Sykes), which is arguably one of the most successful programmes on British television. I believe that we should encourage that type of family viewing programme rather more. I hope the fact that that programme is produced by a regional ITV company in a region will not be lost on the House.

Thirdly, the merger of the licences of Yorkshire Television and Tyne-Tees Television some years ago has brought considerable benefits, particularly to people living in the overlap area in which a new regional news studio has been created. I think that that merger demonstrates that, if the changes in ITV channel 3 licences that will occur as a result of this Bill are handled correctly, they will bring valuable benefits to viewers.

The hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) made an excellent speech. Like him, I was a member of the Standing Committee that considered the Broadcasting Act 1990. I am sure that, like me, he remembers the debate on that Act in Committee. We won many of those arguments, but one or two matters are still unresolved, and we made one or two mistakes. The first mistake was that we failed to specify a reserve for channel 3 licence bids, with the result that licence payments by channel 3 companies are extremely inequitable. Sooner or later, that problem must be addressed.

That problem is connected with the Channel 4 funding problem because, contrary to what is often said, channel 3 licence holders were asked by the Independent Television Commission to take into account the funding formula in putting together their bids. So I ask my hon. Friend the Minister to consider bringing together—either in this Bill or some time during the next 18 months—the need to change the Channel 4 funding formula and the need to revisit the channel 3 licence payments.

Linked to that is the fact that, while everyone has rightly been concerned about the Channel 4 funding issue, it is channel 3—not Channel 4, BSkyB or any other future channel—that pays almost £400 million a year to the Trsry in licence fees and tax on advertising revenue. If we are examining the future of commercial television over the next 10 or 15 years, we must consider not only channel 3 or Channel 4 but satellite and cable. My hon. Friend the Minister knows my views, but it has seemed to me for some considerable time that, sooner or later, we shall have to reconsider a quite separate system for charging commercial television for the valuable access that enables it to realise revenue through advertising.

A second problem that we did not resolve correctly in Committee in 1990 was the ownership of ITN. I vehemently opposed the sell-off by ITV companies of their shares in ITN, which has created the problem we have now. As a result of the changes in ownership, two large independent television licensees own more than half of ITN, with the consequence that the rest of the channel 3 network feels that it is not getting a fair crack of the whip in terms of what it has to pay for ITN.

I agree with my right hon. Friend the Secretary of State that we perhaps need, once and for all, a clear agreement that there should be one independent television news provider. The best way to achieve that at the right price is to nominate the second news provider and then have a proper competitive bid for whatever new service is forthcoming from that provider.

The third problem that we did not resolve correctly in 1990 concerns the vexed issue of conditional access to which other hon. Members have referred. The fact that the Bill provides a legislative framework for the regulation of conditional access through digital programmes in the future is very welcome, but we should, and must, extend that to analogue satellite systems, because we could be some years away from realising the digital opportunities that the Bill seeks to encourage, and that is a problem.

When dealing with that problem, will my hon. Friend the Minister ensure that we differentiate conditional access through satellite, or encryption, from conditional access through cable? My hon. Friend will be aware of the relevant arguments.

I deal now with the sale of sports rights. I do so especially in my capacity as chairman of the all-party racing and bloodstock industries committee. Two of the eight listed events are racing fixtures—the Derby and the Grand National. The British Horseracing Board and the Racecourse Association recognise the importance of those two events being shown nationally on terrestrial television, and have no difficulty with the change in the listed events legislation that has now been agreed.

Those two organisations subscribe strongly, however, to the proposed code of practice drawn up by the Sports Council. In the light of what the right hon. Member for Copeland (Dr. Cunningham) said, I feel highly privileged to have seen a copy of it. I hope that, in Committee or on Report, Parliament will have the opportunity to debate that code and to consider its details to ensure that we get the framework right.

[Mr. John Greenway]

As far as I can see, the code makes clear the determination of the sport's governing bodies that they will undertake to make every reasonable effort to strike a balance between the objectives of achieving the widest possible broadcasting exposure and their duty to maximise income for their sport from the sale of broadcasting rights. They also firmly intend to preserve a distinction between television and radio rights such that the acquisition of exclusive television rights shall not preclude simultaneous radio commentary. I am sure that the whole House would agree that that has to be the right approach. It will be difficult to strike the right balance, but on reflection the code represents a better approach than the creation of fresh legislation.

Every time the House debates broadcasting, we are faced with a paradox. Everyone says how wonderful British television is—indeed, it is the best in the world—yet there always seems to be such a reluctance to trust broadcasters. The record of our broadcasters, despite concerns about some elements, speaks for itself—

Madam Deputy Speaker (Dame Janet Fookes): Order.

9.30 pm

Ms Angela Eagle (Wallasey): It may seem rather surreal to be debating digital broadcasting when as yet there is no audience, no programmes, no transmission system and no sets, but the extent of the technological advance and its rapidity these days means that such things are highly likely to be with us, and as a Parliament we have a duty to the public to legislate accordingly.

The technological advance with which we are faced implies massive change in all the forms of media that have been referred to in the debate. It could transform those services beyond recognition. Indeed, the advance could be as significant as the invention of the printing press in the effect that it has on our lives, socially, culturally and politically. The Bill should both facilitate that change by ensuring that it happens in an orderly fashion, and regulate it effectively. I am not sure that it does either well enough.

We need to ensure that there is an orderly transformation to the new services, that they are made available to as many people as possible, and that the evolution is fair and equitable. The survival of public service broadcasting and the ethos around it will be an important measure of whether we are successful. We have to ensure high quality in production values and in domestic programme making. As I said in an intervention on the Secretary of State, the process by which the multiplexes will be allocated contains no reference to quality. We must put that right, so that we can ensure that high quality remains an acceptable criterion.

We must also take some time to ensure that control through monopoly does not develop, especially regionally. The Bill makes some attempt to ensure that. We must also, and more crucially, ensure that such monopoly does not develop in the gateway technology—the black box that will enable the multiplex transmissions to be seen on the TV screens in people's homes.

Another crucial principle that we must bear in mind is access for all. That means that access to services is as cheap as possible, that countrywide coverage is provided, and that access does not rely only on having to pay more and more. Opposition Members therefore believe that quality in the awarding of multiplex licences is a key issue.

We welcome the guaranteed space for existing broadcasters—that is one way in which to safeguard quality—but recognise that markets are dynamic. Although quality in our current broadcasters is assured, increasing global competition and pressures mean that we cannot be certain that, without stricter quality control in this country, such quality can be assured in future. We therefore want equality, original production and free-to-air criteria to be part of the ITC licensing application procedure. We want no monopoly. That refers not only to cross-media ownership—I am sure that there will be many interesting debates on that in Committee—but, as I said, to the gateway system.

In the very brief time that has been allocated, I want to speak about listed sporting events. Many people who take an interest in sport welcome the decision in the other place that guaranteed that the coverage of eight major sporting events will remain on terrestrial channels, so that people throughout the country can have access to them. I strongly support that.

I am sympathetic, too, to the possibility of extending the list. I have some difficulty with the idea of a voluntary code of conduct on unbundling. We must see that code in Committee as it has been developed so far, and if we are not happy with it, we should, having the Bill before us, write in a reserve power on unbundling that we can use if the voluntary code either fails to emerge or is not adequate.

As someone who follows cricket, I was especially concerned about the fact that we could see only the limited highlights of the cricket world cup that made their way on to terrestrial broadcasting. I was disappointed that the glorious occasion on which Kenya beat the West Indies was unavailable to us, and that all we had was England's rather drab performances—only just made up for by our being able to watch Sri Lanka's fantastic win.

I look forward to further interesting debates on those important issues.

9.35 pm

Dr. Lewis Moonie (Kirkcaldy): We have had a fascinating debate, sadly curtailed by an hour and a half of statements, and by the Secretary of State's contribution having been perhaps a wee bit long. *[Interruption.]* As the right hon. Lady seems to be protesting, I must add that her speech was considerably longer than any by an Opposition Member.

As has been said, we support the principle of the Bill—*[Interruption.]* As the Secretary of State insists on intervening from a sedentary position, I must add that during her peroration there were times when I felt that I would have been better off at home watching my grass grow.

We support the principle of the Bill, despite the fact that it is deficient in many respects. But we disagree with the Government on key issues, which we hope to debate in full in Committee and on Report, and we shall ask hon. Members to support our reasoned amendment tonight.

I shall pay a brief tribute to the contributions of my colleagues, especially that by my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman) who,

by the strength and quality of his speech, showed us why his Select Committee is such an effective force in national heritage issues.

I must also mention my hon. Friends the Members for Bassetlaw (Mr. Ashton) and for Wigan (Mr. Stott), and my hon. Friend the Member for The Wrekin (Mr. Grocott) who made a trenchant contribution. I also thank my hon. Friend the Member for Glasgow, Cathcart (Mr. Maxton) and my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands), who, despite the fact that he confined himself to Welsh issues, showed what a valuable asset he will be in Committee. My hon. Friend the Member for Wallasey (Ms Eagle) also managed to slip in a few remarks at the end.

In the limited time available I shall touch briefly on some of the issues that were raised. I shall also correct a clear misconception in the Secretary of State's mind, because I am sure that the right hon. Lady would not wish people to think that she had deliberately tried to mislead us. She talked about provision for alternative means of switching off analogue signals early, but the whole point is to provide a system that allows people to continue viewing digital signals using their analogue boxes. Under such a proposal, there is no question of people's not being able to use their old sets. I am sure that the Secretary of State would not wish people to get the impression that she was saying that we had suggested such a thing.

The main part of the Bill concerns digital television and radio. We have few fears or qualms about radio, other than those that we have already expressed about multiplexes—we are now talking about digital radio rather than ownership. The demand for high-quality sound reproduction, especially from the many car drivers among us, will ensure that digital radio will get off the ground—and the sooner, the better.

We are a wee bit less sanguine about the prospects for the digital terrestrial proposal. After all, it will have to compete against potentially far more effective delivery mechanisms. Digital satellite, with vastly greater numbers of channels and the possibility of radio links to provide two-way communications, will be a much more effective medium, although again, there are doubts about exactly when it will appear.

Digital cable services, too, will be able to provide a vastly greater number of channels. Even more serious competition will come from the provision of fibre, and the almost limitless band width that that will offer us. But who knows when that may happen? Digital television will have to operate in an uncertain market. That is why so few reliable financial and business commentators have been prepared to say, with their hand on their heart, that they believe that the system will fly. That point should concern all of us. We have no quarrel with the Government inasmuch as we want digital television to get going, as everyone else does.

Mr. Stephen Timms (Newham, North–East): Does my hon. Friend agree that the quality of the services provided by digital broadcasting will be one of the main determinants of its success? Does he further agree that it is absurd that the Bill does not allow the ITC to take quality into account in determining the licence applications submitted to it?

Dr. Moonie: I could not have put the point better myself; my hon. Friend makes a good point. It is a great disappointment to us that no quality test has been included in the Bill. That is a point that we shall seek to introduce in Committee and on Report. In view of some of the comments made by Conservative Members, I suspect that we may get considerable support for such a proposal from hon. Members on both sides of the House.

I will now touch on some of the other main issues raised tonight and to which we shall return in Committee. The question of cross-media ownership has rightly been brought up. For the record, I will make sure that my views are plain. I favour competition in the provision of services. I favour full competition so I see no reason why any player should be arbitrarily excluded from the market by the introduction of the test proposed in the Bill. Full competition should be fair competition and it is the Government's duty to provide an effective framework for fair competition throughout the industry. The failure to do so is not the fault of the Department of National Heritage but the fault of the Government as a whole. At present, we do not provide a framework for fair competition. If we had such a framework, there would be no need for the specialist provision in the Bill.

Many Conservative Members have made useful contributions on the provision of local services. In general, we agree with them and we shall seek to support amendments on that subject in Committee. However, there is a difference between large metropolitan areas and areas around my constituency and parts of the highlands of Scotland and Wales where there is only one local radio station and only one local paper. To give one group control over 100 per cent. of local advertising in an area would be unwise and we must ensure that that is not allowed to happen. Bearing that point in mind, I agree with many of the points made by Conservative Members.

We welcome the merger of the Broadcasting Standards Council and the Broadcasting Complaints Commission. We also welcome the opportunity to debate the V-chip although, like the Secretary of State, I have some doubts about the practicalities of introducing it. However, that does not alter the fact that we must have a full, fair and frank debate on the issue in Committee and on Report so that every hon. Member's views can be properly taken into account.

We wonder—this is purely speculative—whether we should take things a stage further on standards in broadcasting in view of the key role that the ITC will play. Should we not perhaps look, not too far in the future, at subsuming the role of the new BSC into the ITC and giving it a general extended role in the monitoring and control of standards of broadcasting? I suggest that especially in view of our proposals last year for the extension of the function of Oftel into an ofcom—office of communications—which would take over many of the ITC's current responsibilities for looking at the carriage of signals? To my mind, that would be a far more rational way in which to manage the system.

Enough has been said about sport. I merely reiterate the point that if the voluntary code of conduct fails to come up to expectations, we shall certainly raise the matter in Committee and on Report. The Government had better prepare themselves for losing a vote on an amendment on the code of conduct.

I would like to cover many other issues, but clearly I do not have time. I assure the House that we shall cover those issues exhaustively in Committee. We shall return

[Dr. Moonie]

to the issue of quality again and again. The needs of those with visual and auditory disabilities have not been mentioned, as far as I can remember from the parts of the debate that I heard tonight, but we shall return to them. We expect to cover in full issues such as local diversity and protection of local interest in ITV companies.

After such a full debate, obviously there will be irreconcilable differences between the Government and the Opposition at this stage. The Secretary of State has expressed willingness to offer compromises, and we welcome her flexibility on the matter but, alas, cannot support the Government tonight.

We believe that this is a Bill for the present. Our amendment tries to look to the future. In such a rapidly changing field, our perspective is essential. If we are not successful in doing so in this Session of Parliament, we shall certainly face up to it next year in government.

9.44 pm

The Minister of State, Department of National Heritage (Mr. Iain Sproat): It is a tribute to the great interest that the House has shown in the Bill that the hon. Member for Kirkcaldy (Dr. Moonie) and I have had such a short time in which to wind up the debate, but it is a very good thing that so many individual hon. Members do take part in a debate such as this. We shall be able to return to many of the details in Committee when, like the hon. Member for Kirkcaldy, I greatly look forward to a lengthy and thorough examination of this excellent Bill.

The right hon. Member for Copeland (Dr. Cunningham) started his speech by talking about television broadcast sports rights, and I follow his example in that, if in nothing else. I shall explain the current position to the House.

The House of Lords said, in my view rightly, that we should retain the listed events. We have eight listed events, and I feel that the House of Lords spoke for the majority of the country when it reached that decision.

Mr. Maxton: You opposed it.

Mr. Sproat: I certainly never opposed it, and the hon. Gentleman will confirm to the House that many is the time I have said to him, "This is an important matter, which must be discussed during the passage of the Broadcasting Bill." That is what I said, that is what has been done and I believe that Parliament has reached the right decision on it. *[Laughter.]* There is a little too much laughter from Labour Members. I remind them that, in the House of Lords, of those who voted in favour of listed events, the Labour party contributed only 34 per cent., so it was not the Labour party but the House of Lords as a whole, and that Conservatives and independents outvoted Labour on that matter.

Mr. Grocott *rose—*

Mr. Sproat: I will not give way.

If hon. Members will keep quiet, I will take us on from that decision about the listed events to what is happening over the unbundling procedures that have been proposed by some.

The Government are wholly opposed to compulsory unbundling. We believe that it would be a gross interference with the rights of sports bodies who owned the rights to the games to take those rights away from them arbitrarily. I thought that the hon. Member for Bassetlaw (Mr. Ashton) put it extremely well, and I thought that the various views that were expressed about the matter showed that it is an extremely difficult subject to get right.

My right hon. Friend and I discussed it with the Sports Council, the governing bodies of sport and the Central Council of Physical Recreation. I discussed the matter with the broadcasters and I said, "We quite understand that it is your right to dispose of your—"

Mr. Maxton: Will the hon. Gentleman give way?

Mr. Sproat: I have no time; I apologise to the hon. Gentleman.

I said, "It is your right to dispose as you wish of the sports that are yours. You nevertheless have a duty to the community to ensure that, when you dispose of those sporting rights, you take into account people's wish to see those sports on television and the wish of those people—especially young people—that the money obtained from the sporting rights be ploughed back into the sport, especially into young people's sport."

We are trying to work out a voluntary code. I have seen the draft—it is only a draft so far—which satisfies many of those aspects. I know that the governing bodies want to look at it again. I know that the CCPR and the Sports Council want to look at it again. If the voluntary code is finished while the Committee is sitting, which I hope and expect it will be, it would be perfectly proper for the Committee to debate that, and I look forward to it. I think it was the hon. Member for Bassetlaw who said that it was a matter of balance. We must balance a number of different interests in relation to sport: those of sporting organisations, those who play sport and those who watch it on television. That is what we are seeking to do; I hope that we shall succeed. I hope that I shall have the Opposition's support when they see what is being introduced.

When we talk about broadcast sports rights we should remember that we are speaking against a different background from that of 15 or 20 years ago. Every day there are seven hours of sport on terrestrial television and every day Eurosport and BSkyB together have 38 hours of sport—there is a tremendous amount of sport on television. I certainly welcome that fact and I hope that we shall return to the subject in Committee.

A number of hon. Members mentioned Channel 4 funding, a subject to which we shall return in detail in Committee. If Channel 4 receives more than 14 per cent. of the total advertising revenue for itself, anything above that 14 per cent. has to be disposed of in specific ways that Parliament has decided—I think that the hon. Member for Wigan (Mr. Stott) rightly raised that issue. At present, of that excess, 25 per cent. has to go into reserve. From the moment that the Bill is enacted, that 25 per cent. can immediately be used by Channel 4 to make British films—the Bill will produce that immediate response and free up cash for Channel 4. On the timing—the reduction of the excess will be done in a couple of stages, the first of which will be in 1998. I give that explanation for the benefit of the hon. Member for Wigan and other hon. Members who raised this important matter.

Several hon. Members said that we should look again at conditional access, particularly conditional access and analogue. I think that my right hon. Friend the Member for Mid–Sussex (Mr. Renton) was the first hon. Member to raise the subject. He will know that, earlier this year, my right hon. Friend the Secretary of State for Trade and Industry produced a document called "The Regulation of Conditional Access Services for Digital Television". In that document we made it clear that there would be a licensed system for encryption and the gatekeepers of digital satellite to ensure that nobody could be other than fair, open and non-discriminatory towards anyone who wanted to use the gateway.

A number of hon. Members said, "Yes—that is splendid and that is for the future, but we already have analogue satellites and we should impose similar restrictions on them." I understand why hon. Members say that, but they are wrong. When we were encouraging the satellite business to get off the ground, we set certain regulations, one of which was that there should not be such a licence for analogue satellites. That system succeeded—satellites have taken off in a big way—and having imposed it originally, it would be wrong now to change the regulations under which the analogue satellites operate. They are on their way out and digitalised satellites are on their way in. I hope that hon. Members will accept that the Government want to impose a licence in future, but do not want to change what they have done in the past.

A number of my hon. Friends, as well as the hon. Members for Caithness and Sutherland (Mr. Maclennan) and for Merthyr Tydfil and Rhymney (Mr. Rowlands), talked about the importance of regional television—a subject to which we shall return in Committee. We have found a way to ensure that regional televisions' peculiar regional identities are preserved. If a smaller television station is taken over by a larger one, the larger one will have to fulfil extremely stern regulations imposed by the ITC on quality, amount of hours and the way in which regionality is imposed on the station, and if the regional station that it has taken over has raised the amount of regionality in various ways, the new company will be bound by the ITC to meet those same standards and fulfil the regional criteria.

The hon. Member for Caithness and Sutherland wondered, quite properly, what would happen if, having liberalised the number of stations that any one company can take over, a number of big companies set upon the smaller companies and the contributions that they make to network programming. The ITC will impose a formula that ensures that the smaller regional stations are protected. Regional stations are extremely important—including those in Scotland and in Wales. I am sorry that I do not have time to answer in detail the points raised by the hon. Member for Ceredigion and Pembroke, North (Mr. Dafis), but perhaps we shall deal with them in Committee. I assure him that he will like my answers.

My hon. Friend the Member for Twickenham (Mr. Jessel) raised the issue of impartiality. Hon. Members on both sides of the House are concerned about perceived examples of impartiality on the part of the BBC—I do not seek to make a Tory point. Today's *Daily Mail* says that the BBC is so conscious of that problem that it has asked two independent parties, Lord Skidelsky and Miss Lambert of the Green party, to examine its actions. They concluded that the BBC has something to learn about impartiality and the Conservative party.

My hon. Friend the Member for Twickenham raised an important point. He advanced some new and interesting ideas about a governor with particular responsibility for impartiality or an ombudsman. Those points concern mainly the BBC, but we shall gladly discuss them in Committee. My right hon. Friend and I have discussed the matter with the new chairman of the BBC, Sir Christopher Bland, and he is strongly seized of the importance of maintaining the BBC's worldwide reputation for impartiality on which so much of its prestige depends.

One of the disappointing aspects of the Opposition's allegedly reasoned amendment was that it accused the Government of not giving enough encouragement to firms to enter the digitalisation business. That is very wrong: I cannot see what more we could have done. We have guaranteed a place on the multiplexes to all existing terrestrial broadcasters so that they may develop their services and we have guaranteed that multiplex operators will be able to operate for free—without making any payments to the Treasury—for the first 12 years. They will be able to roll that over for another 12 years. We have also said that we will review the progress of digitalisation after five years. If the broadcasting technology develops very quickly—as often occurs in that area—we shall re-examine the situation when 50 per cent. of households have digital sets.

I ask the House to remember that we are the first country in the world to introduce digitalisation as part of its legislative broadcasting programme. I do not believe that it is reasonable to ask the Government to do any more: we have done all that we can to encourage digitalisation. If hon. Members have different notions, they may raise them in Committee and we shall be very glad to respond.

I have only one minute in which to respond to the other points raised by hon. Members—as the excellent Whip, my hon. Friend the Member for Plymouth, Sutton (Mr. Streeter), reminds me. We shall return in Committee to the important matters of quality, questions of impartiality, and questions about the funding of S4C and whether it will have proper opportunities to develop other services. I hope that the Committee membership will be balanced and will represent the many views that have been put forward in the House today.

I strongly deprecate the foolish amendment put down by the Opposition. We had hoped to secure their support as we did in the other place, and I am sorry that we did not succeed. I hope that in Committee we shall convince Labour Members of their unfairness and foolishness. I commend the Bill to the House.

Question put, That the amendment be made:—

The House divided: Ayes 267, Noes 297.

Division No. 98] **[10.00 pm**

AYES

Abbott, Ms Diane	Banks, Tony *(Newham NW)*
Adams, Mrs Irene	Barnes, Harry
Ainger, Nick	Battle, John
Allen, Graham	Bayley, Hugh
Alton, David	Beckett, Rt Hon Margaret
Anderson, Donald *(Swansea E)*	Beith, Rt Hon A J
Anderson, Ms Janet *(Ros'dale)*	Bell, Stuart
Armstrong, Hilary	Benn, Rt Hon Tony
Ashdown, Rt Hon Paddy	Bennett, Andrew F
Ashton, Joe	Benton, Joe
Austin-Walker, John	Bermingham, Gerald

Berry, Roger
Betts, Clive
Blunkett, David
Boateng, Paul
Bray, Dr Jeremy
Brown, N *(N'c'tle upon Tyne E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Cann, Jamie
Carlile, Alexander *(Montgomery)*
Chidgey, David
Church, Judith
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cox, Tom
Cummings, John
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Cunningham, Roseanna
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Chris *(L'Boro & S'worth)*
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham, H'dge H'l)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Forsythe, Clifford *(S Antrim)*
Foster, Rt Hon Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
George, Bruce
Gerrard, Neil
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Henderson, Doug
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hoon, Geoffrey
Howarth, Alan *(Strat'rd-on-A)*
Howarth, George *(Knowsley North)*
Howells, Dr Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheff'ld, H)*
Jamieson, David
Janner, Greville
Jenkins, Brian
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, Jim *(Leicester, S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Mitchell, Austin *(Gt Grimsby)*
Molyneaux, Rt Hon Sir James
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Nicholson, Emma *(Devon West)*
Oakes, Rt Hon Gordon
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Pope, Greg
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Smyth, The Reverend Martin
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steel, Rt Hon Sir David
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Thompson, Jack *(Wansbeck)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Wallace, James
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wigley, Dafydd
Williams, Alan W *(Carmarthen)*
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Ms Ann Coffey and
Mr. Malcolm Chisholm.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Atkins, Rt Hon Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Bates, Michael
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Sir Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & C'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Cash, William
Channon, Rt Hon Paul
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*

Clarke, Rt Hon Kenneth *(Ru'cliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dicks, Terry
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archibald
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Heseltine, Rt Hon Michael
Hicks, Robert
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Lidington, David
Lilley, Rt Hon Peter
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel. Sir David
Maitland, Lady Olga
Major, Rt Hon John
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Mayhew, Rt Hon Sir Patrick
Mellor, Rt Hon David
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Sackville, Tom
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thornton, Sir Malcolm
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Timothy Wood and
Mr. Derek Conway.

Question accordingly negatived.

Main Question put forthwith, pursuant to Standing Order No. 60 (Amendment on Second or Third Reading), and agreed to.

Bill accordingly read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 61 (Committal of Bills).

BUSINESS OF THE HOUSE

Motion made, and Question put forthwith, pursuant to Standing Order No. 14 (Exempted business),

That, at this day's sitting, the Lords Amendments to the Education (Student Loans) Bill may be proceeded with, though opposed, until any hour.—*[Mr. McLoughlin.]*

Question agreed to.

BROADCASTING BILL *[LORDS] [MONEY]*

Queen's recommendation having been signified—

Motion made, and Question put forthwith, pursuant to Standing Order No. 50A(1)(a),

That, for the purposes of any Act resulting from the Broadcasting Bill *[Lords]*, it is expedient to authorise the payment out of money provided by Parliament of—

(1) any expenses of the Secretary of State under the Act, and

(2) any increase attributable to the Act in the sums which under any other enactment are payable out of money so provided—*[Mr. McLoughlin.]*

Question agreed to.

BROADCASTING BILL *[LORDS] [WAYS AND MEANS]*

Motion made, and Question put forthwith, pursuant to Standing Order No. 50A(1)(a),

That, for the purposes of any Act resulting from the Broadcasting Bill *[Lords]*, it is expedient to authorise the inclusion of—

(1) provisions under or by virtue of which holders of licences granted under the Act by the Independent Television Commission are or may be required to pay sums to that body in connection with such licences and under which financial penalties imposed on bodies holding such licences may be recovered from persons controlling such bodies;

(2) provisions under or by virtue of which the holders of licences granted under the Act by the Radio Authority are or may be required to pay sums to that body in connection with such licences and under which financial penalties imposed on bodies holding such licences may be recovered from persons controlling such bodies;

(3) provisions relating to the televising of sporting and other events of national interest under which holders of licences granted by the Independent Television Commission under the Act or the Broadcasting Act 1990 may be required to pay financial penalties to that body;

(4) provisions for sums falling within paragraph (1), (2) or (3) to be paid into the Consolidated Fund;

(5) provisions amending the provisions of the Broadcasting Act 1990 under or by virtue of which the holders of certain licences under that Act may be required to make payments to the Channel Four Television Corporation;

(6) provisions relating to the financial penalties payable to the Independent Television Commission under the Broadcasting Act 1990;

(7) provisions under which—

(a) the Independent Television Commission, the Radio Authority and Sianel Pedwar Cymru are required to pay sums to the Secretary of State as contributions to the expenses of the Broadcasting Standards Commission established under the Act, and

(b) such sums are paid into the Consolidated Fund.—*[Mr. McLoughlin.]*

Question agreed to.

Education (Student Loans) Bill

Lords amendments considered.

Schedule

CONSEQUENTIAL AMENDMENTS

Lords amendment: No. 1, in page 3, line 22, leave out from beginning to ("and") in line 26.

10.16 pm

The Minister of State, Department for Education and Employment (Mr. Eric Forth): I beg to move, That this House doth agree with the Lords in the said amendment.

Madam Deputy Speaker (Dame Janet Fookes): I inform the House that amendment No. 1 involves privilege.

Mr. Forth: This is a small, technical amendment. We feel that it is necessary in order to implement fully our policy to limit the number of loans that may be taken out by a student in any one year. Regulations under the Student Loans Act 1990 already apply this restriction in respect of loans taken out with the Student Loans Company Ltd. It makes good sense that the position should be the same for private loans when they become available.

The Bill as originally drafted therefore contained, in paragraph 3(2)(b) of the schedule, a power to limit public loans where an applicant already had a private one. In turn, our contracts with the private lenders would have limited private loans where a public one already existed. However, we reflected further on that after the issue was raised in Committee. As a result, we are bringing the private sector into student loans to create competition and extend student choice. Part of that choice includes the freedom for students to move from one lender to another year by year.

In these circumstances, it is important that our policy of one subsidised loan per student per year is fully and easily implemented. The amendment deletes the regulation-making power in paragraph 3(2)(b) of the schedule. Instead, the general regulation-making power in section 1(2)(b) of the 1990 Act will be used to limit the number of loans, whether public or private. It is surely sensible that the number of loans be limited in this way. It is fair to students and to the taxpayer. The amendment makes our objective more secure. I commend it to the House.

Mr. Bryan Davies (Oldham, Central and Royton): As the Minister has said, this issue was considered in Standing Committee. In fact, it was my hon. Friends who drew attention to the important point that none of us would countenance circumstances in which subsidy from the public purse to those who took out student loans should be available more than once in any one student year. Therefore, the Opposition also support this technical amendment, which gives effect to what is clearly the will of the House and which been commended by the other place.

Lords amendment agreed to [Special Entry].

Lords Amendment: No. 2, in page 3, line 30, leave out ("2(1)") and insert ("2—(a) in sub-paragraph (1)").

Mr. Forth: I beg to move, That this House doth agree with the Lords in the said amendment.

Madam Deputy Speaker: With this it will be convenient to take Lords amendment No. 3, in page 3, line 32, at end insert

(", and

(b) after that sub-paragraph insert—

"(1A) Regulations under sub-paragraph (1) above may include provision for the making of payments to governing bodies in respect of the taking by them of steps prescribed by the regulations."")

Mr. Forth: Currently, higher education institutions have a significant role in certifying students' eligibility for loans. In return, the Student Loans Company pays them a fee for each certificate of eligibility. We intend that to continue. Higher education institutions will also play a role in providing information on their students' eligibility for private sector loans. We intend them to receive payment for whatever work they do in that regard.

A number of concerns have been expressed, here and in another place, about how much work higher education institutions will have to do, and about its cost. One such concern was that there was no specific provision for payment to such institutions for any eligibility work that they may do on private loan applications. The amendment will remove that concern.

Paragraph 3 of the schedule would amend schedule 2 of the Education (Student Loans) Act 1990. In so doing, it would provide for regulations requiring work on eligibility by higher education institutions to apply to private as well as public loans. It would provide for payments to be made to higher education institutions in relation to work on all loans. It addresses a reasonable concern that was put to us in both Houses. I hope that this House will support it on that basis.

Mr. Bryan Davies: The Opposition do not oppose the objective of the amendment, but it should be noted that, in justifying it, the Minister laid claim to a position that has not been substantiated either here or in the other place, and is not supported in the higher education sector.

The Minister claimed that universities are fully recompensed for the administrative costs that they incur in processing student loans. That is palpably not the case. The figures that have been quoted—which are not contested significantly by any source—suggest that universities' costs are probably twice as high as the sum that is currently returned to them. Naturally, the universities are very concerned. These are difficult days for the higher education sector: the downward pressure on resources is fierce, and institutions are hard pressed. Now they are being asked to subsidise the operation of the Student Loans Company, and the process that enables students to obtain the necessary maintenance to enable them to continue their studies.

In Committee, the Opposition pressed the amendment forcefully, but at that time it did not find favour with the Minister. Now, at last, it has become acceptable to the Government. It will ensure that, even if the universities are not paid the full cost of the exercise in which they are involved, they will at least receive some payment for providing information that is needed by the private sector.

The higher education sector is anxious for obvious reasons. The Government are making increasing demands on productivity: they are making increasing demands on the institutions to fulfil Government policy in regard to the number of students that they accept, while being extremely ungenerous in terms of funds. Although this may be a small area from the universities' point of view, it is an example of their being expected to provide, from limited funds, a subsidy not only for the public sector and the Student Loans Company but, regrettably—under the Bill's provisions—for the private sector, assuming that the private sector system of student support ever gets under way. Perhaps this exercise is already redundant. That was mentioned in the House of Lords because, plainly, the Government are undertaking a review of higher education and student finance and have asked Sir Ron Deering to carry it out.

This is the last time that the House will have a chance to comment on the Bill, and it is being asked to persist with a Bill that is widely regarded as redundant because it is unlikely to be implemented and in any case contains noxious elements. One such small noxious element is that the private sector will obtain a subsidy from the universities which currently goes to the Student Loans Company and the Minister has still not fully reimbursed universities for their work in this area.

As I have said, this is the last occasion on which we shall consider the Bill. It is an enabling measure that will empower the Minister to carry out a series of negotiations with various agencies. When and in what form will the House receive a statement from the Minister about the conclusion of the negotiations so that Parliament can be properly reassured about the processes, procedures and conclusions? The Minister has been offered a blank cheque in his negotiations with the banks and financial institutions and, having been empowered in that way, he should inform the House about the conclusions of his negotiations and the House should have a chance to consider any proposals. Perhaps the Minister will say how he intends to fulfil that obligation, which has been pointed out to him repeatedly on Second Reading, in Committee and on Third Reading, and in the other place. It has been said with great force that the Minister should respond to that request.

Mr. Roy Beggs (East Antrim): It is important that the Minister should return to the House with that information because the legislation will later be applied to Northern Ireland and we ought to know what is intended for us there.

Mr. Davies: I accept the hon. Gentleman's supportive comment, which plainly shows that there are widespread concerns about the measure. I expressed it in parliamentary terms in the context of both Houses and I am grateful to the hon. Gentleman for his geographical reinforcement of my case.

Mr. Forth: I welcome the hon. Gentleman's support for the amendment and the spirit in which he expressed at least that element of his speech. However, I cannot accept his contention or the terms in which he put it, because not only are the fees that are payable to higher education institutions entirely a matter between the Student Loans Company and the institutions, but the Department and I are not aware of the higher education institutions pressing particularly hard on the SLC for a review of the terms of the compensatory payments that they receive. The hon. Gentleman exaggerated somewhat in that regard.

[Mr. Forth]

Perhaps concealed in the comments of the hon. Member for Oldham, Central and Royton (Mr. Davies) was a spending commitment on behalf of his party that he would arrange, were he ever in a position to do so, to make much more generous payments to the universities. He was not prepared to do more than hint at that, but I have no doubt that in due course, after he has received the permission of his hon. Friend the Member for Dunfermline, East (Mr. Brown), he will make the commitment which seemed to be implied in his comments.

I can tell the hon. Gentleman and the hon. Member for East Antrim (Mr. Beggs) that we have extended yet again the deadline for the receipt of tenders from private lending institutions, at the request of one of them, by some two weeks to Monday 13 May. That will give them every opportunity to respond positively and comprehensively to our invitation to tender.

I envisage that at that time, after an appropriate period to consider the tenders, we shall wish to notify the House of the outcome of the tendering process so that everyone is kept fully informed of the position, should the Bill receive royal assent, should its provisions be in place, and depending on the private lenders who respond to the tendering arrangements. It is my wish that the House be kept fully informed. The deadline has been extended, but at a material time after that date I will inform the House fully of the progress being made.

I hope that the House will now feel able to support the amendment.

Lords amendment agreed to [Special Entry].

Lords amendment No. 3 agreed to [Special Entry].

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 101(6) (Standing Committees on Delegated Legislation).

PUBLIC HEALTH

That the Food Protection (Emergency Prohibitions) (Oil and Chemical Pollution of Salmon and Migratory Trout) Order 1996 (S.I., 1996, No. 856) a copy of which was laid before this House on 20th March, be approved.—*[Mr. McLoughlin.]*

Question agreed to.

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put forthwith, pursuant to Standing Order No. 102(9) (European Standing Committees).

CONSUMER PROTECTION: UNIT PRICING

That this House takes note of European Community Document No. 9325/95, on consumer protection in the indication of prices offered to consumers, and supports the Government's view that the Directive, incorporating the amendments in respect of an exemption for small shops, should be adopted.—*[Mr. McLoughlin.]*

Question agreed to.

TREASURE BILL [*MONEY*]

Queen's recommendation having been signified—

Motion made, and Question put forthwith, pursuant to Standing Order No.50A(1)(a).

That, for the purposes of any Act resulting from the Treasure Bill, it is expedient to authorise the disposal of, or disclaimer of title to, property vesting in the Crown under the Act—*[Mr. McLoughlin.]*

Question agreed to.

TREASURE BILL [WAYS AND MEANS]

Motion made, and Question put forthwith, pursuant to Standing Order No.50A(1)(b).

That, for the purposes of any Act resulting from the Treasure Bill, it is expedient to authorise the treatment of property vesting in the Crown under the Act as part of the hereditary revenues of the Crown to which section 1 of the Civil List Act 1952 applies.—*[Mr. McLoughlin.]*

Question agreed to.

M1 (Widening)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. McLoughlin.]*

10.31 pm

Mr. John Carlisle (Luton, North): I am grateful to you, Mr. Deputy Speaker, and to my hon. Friend the Minister for sparing time, once again, to discuss the intended widening of the M1 between junctions 10 and 12. I make no apology for once again bringing the subject before the House. Indeed, the remarks that I make may be somewhat harsh—although in no way do they reflect on my hon. Friend the Minister; we have been very great friends and I think that we will remain so for some considerable time—but certain things need to be said at this stage that have not been said before.

In 1989 the Government published a White Paper on roads. It proposed that the M1 should be widened in one of its busiest spots. The road carries 120,000 vehicles a day, 20 per cent. of which are heavy vehicles. Indeed, I believe that the figure is now even higher. It is one of the main arterial roads in Britain. Since 1989, there have been at least six Ministers with responsibility for roads and traffic, starting with my hon. Friend the Member for Eltham (Mr. Bottomley)—that sounds a long time ago—and ending with the present incumbent, who has been in the job for some time.

I have had at least four Adjournment debates and have raised the subject on the Floor of the House through questions or in speeches on numerous other occasions. I have taken to my hon. Friend and some of his predecessors a number of delegations of pressure groups, residents and constituents from my part of the world. There have been numerous public meetings. There was a public exhibition in November 1992. There are literally mountains of correspondence from my constituents—quite understandably, as the issue affects a great many people. There have been many long hours of discussions both in the constituency, in the Department and in and around my office over a long period.

Unfortunately, despite all the visits and the representations that I have made on behalf of my constituents, more than six and a half years since the proposal to widen the road, we now face another period of uncertainty. Quite frankly, that has made my constituents frustrated, which is natural, and angry.

In the time available, I should like to read to my hon. Friend the Minister and the House from a letter that I recently received from Mr. John Neil, secretary of the M1 Action Group Luton. He has been doing that job ever since the road improvement was first proposed and has been a tower of strength to residents in the part of Luton that will be affected. Talking about residents in the part of the town affected, he says:

> "The same residents exposed daily to the ever increasing noise levels and air pollution emanating from the Motorway, have only ever sought from the D.O.T immediate means to bring about some relief to their ongoing suffering. To that end, they have acted as very responsible citizens, with a great deal of tolerance and patience. No demonstrations; no acts of violence or resorting to any other unlawful act. They quite properly called upon their elected Member of Parliament to express their concern over the dreadful conditions under which they are now forced to live. Notwithstanding the efforts of all those involved over the past few years, many residents today entertain feelings of despair since so little has been achieved. It is not difficult to understand such emotions."

It should not be difficult for the House to understand that people who live in the proximity of such a main road, along which some 120,000 vehicles thunder every day, are bound to feel some anger and frustration at the apparent inactivity. Some of these people were living in the area in the late 1950s before the motorway was built.

I shall not go over too much old ground but, with the House's permission, I shall quickly draw to my hon. Friend's attention three matters that are extremely important to this case. The first relates to the Budget and public expenditure plans of last November, the second to the programme, and the third to the compensation available to my constituents in many and varied ways.

My hon. Friend will know that in November, on the basis of the budgetary programme, the Chancellor of the Exchequer announced some pruning of the roads programme. Many people thought that that was a sensible move. The £365 million project—the widening of the M1 between junctions 10 and 15—was also to include part of the constituency represented by my hon. Friend the Member for Luton, South (Sir G. Bright), who is in his place and whose presence I welcome. The announcement of the delay in that project served to add further uncertainty to an already very difficult situation.

I fully appreciate the need to try to save money, and I would be the first to say that if savings can be made they should be made. However, what bothers my constituents is not only the timing, to which I shall refer later, but the question whether the savings, which my hon. Friend is still considering, should be made on the very worthwhile projects proposed to mitigate the noise and nuisance suffered by my constituents. I refer, for example, to the provision of noise barriers, not just when the road is completed but while the work is being carried out. My hon. Friend has in the past been very helpful in this respect. Such barriers must be of the most modern and up-to-date construction and they must do all that can be done to reduce the terrible burden—and it is a terrible burden—of noise that permeates the affected part of the town. In fact, the noise is getting worse. I hope that my hon. Friend will tell me that no budgetary constraints will apply to those proposals.

I must also mention the worthwhile environmental measures. Those of us affected by the widening were pleased to see that in the original plans that were issued as long ago as 1992, such measures included

> "areas of dense planting and mounding or barriers"

and "visual screening", which were to be part of the new, widened road. I hope that any savings will not be made at the expense of the environmental protection that would be given by such planting and other schemes. It is essential that such elements of the mitigation of noise and nuisance are retained.

In my Adjournment debate last year, we discussed porous asphalt—a subject that I know is dear to my hon. Friend the Member for Luton, South. When the road is built, we must make absolutely sure that, if possible, porous asphalt or its equivalent is used, and that tyre noise, which often causes the majority of noise and nuisance, is mitigated by the best modern techniques. If my hon. Friend has to make budgetary cuts, as I know he will, I hope that he does not sacrifice any of the three measures to which I have referred.

The second element that I must bring to my hon. Friend the Minister's attention is the basis of the programme itself. I remind him that the original plans envisaged work

[Mr. John Carlisle]

on widening of the road commencing in January 1997, or at least in some part of next year. The original plans were made a little time ago. Now, none of us has any idea when the widening will take place, if indeed it will take place. My hon. Friend may well comment on that.

As my hon. Friend the Minister will know, a letter was recently sent to one of my constituents from Mr. Steven Ryan, a schemes administration official at the Highways Agency, which has probably caused more problems than almost anything else in recent weeks. Part of the letter says:

"We do not anticipate commencing construction until 2002 at the earliest. Due to the complexity of the scheme, we expect construction to last five years."

In other words, construction will continue into 2007, yet it was originally thought that the work would start in 1997. If that letter is correct—I know that my hon. Friend has written to me privately about it—it will fill my constituents with utter dismay. If it is correct, I would rather that he told me tonight that the widening of the M1 will not proceed. But if the road is to go ahead—and, frankly, I support it—it must be done as quickly as possible. Such letters cause utter dismay among my constituents and further frustration. How long must we wait until we get more definite news on the road?

The third element that I should like to bring to the attention of my hon. Friend the Minister, which is partly the responsibility of the local valuer and, I think, partly the responsibility of his Department, is the compensation, if any, that is available to constituents who are affected—not necessarily those who have been affected by properties being purchased because they are about to be knocked down or would be so close to the road that it would be intolerable to live in them, but for those who have been affected by the proposals' impact on house prices.

Again, it is worth reminding the House of the type of suffering that some of my constituents have experienced. I shall quote from a letter that I received only recently from a Mr. and Mrs. Smithson of 175 High street, Leagrave. They have been greatly affected by the widening of the road, and their letter goes to the heart of some of my constituents' problems. Mrs. Smithson says:

"Our intention has always been to move nearer to our relations when we retired. My husband was made redundant in October 95 from Luton Council and he will be 65 in January 97. We now know it is time we moved. The only reason we lived in Luton was because of my husband's job."

I regret that because I think that it is a very fine place to live, as I know that hon. Friend the Member for Luton, South would agree. The letter continues:

"We now have the property on the market with two estate agents. Messrs Alexander for 10 months and now with Connells. We have lowered the price but to no avail as any prospective purchasers that have been to view the property do not wish to proceed when, as we are legally bound to, we inform them of the M1 widening. We can understand this, as like ourselves, they do not wish to have the noise, pollution and disturbance of the M1 widening."

That is typical of many scores of people up and down the side of the road. As one who enjoys the privilege of living just outside a village in peace and quiet, who gets cross when gliders fly over his property, I can understand that those people are suffering an intolerable nuisance. That intolerable nuisance is made even worse by the fact that they unable to move not only because there has been a recession in house prices—that is of course reflected in the price of new properties that they would like to buy—but because, naturally, no one is prepared to buy their properties due to the uncertainty surrounding the M1 widening.

I must ask my hon. Friend: what happens now? So many people are affected in that way—stuck in houses from which, for genuine reasons such as retirement, they want to move, yet they cannot do so because house prices have fallen so far that they cannot afford to go. What happened to the Colonel Owen case, after which we hoped that more help would be given to people in that position?

May I cite one more of my constituents, a Mr. Pemberton, who is a single oldish man—bless him—who for some time has been trying to understand a system under which before 1991 the house next door to his, No. 87, was compulsorily purchased because it was said that it would not be fit to live in when the M1 was widened, whereas after 1991 he was told that new designs had been developed so that his house, No. 85, would not be affected so badly as to be compulsorily purchased.

I have done my best, but I have found it extremely difficult to explain to Mr. Pemberton that that system is fair. Frankly, it is not fair. I am pleased to have received correspondence from the Highways Agency dated 29 March saying that

"the Team has now been disbanded"—

perhaps my hon. Friend will help me to understand exactly what that means—and that Mr. Pemberton's case will be re-examined by the motorway operations division.

My constituents' patience is running out. After so long—it is nearly seven years since the idea was first put into the Department's head—they have had enough. I do not think that they will be lying all over the M1, or will take militant action—thank heavens—but, rightly, they are asking me, "Where do we go from here?"

I must have from my hon. Friend, if he can give them, some sort of definite programme, and some form of further protection for those on whom the nuisance and the noise is inflicted. I must also have some assurance that further sympathetic consideration will be given to those whose house prices have been badly affected. If that happens, my patience will not run out, but unless we receive satisfactory answers in the weeks and months ahead I shall soon be on my feet again, pressing my hon. Friend on this subject.

10.47 pm

The Minister for Railways and Roads (Mr. John Watts): I congratulate my hon. Friend the Member for Luton, North (Mr. Carlisle) on securing yet another debate on this important matter for his constituency, and on his diligence in pursuing his constituents' interests. I also understand the frustration that he has expressed on their behalf about the continuing uncertainty of a scheme that has been long in gestation.

My hon. Friend mentioned the review of the roads programme that I had to conduct last year in the light of the reduction in the budget for trunk road building. He will know, however, that, at the end of that review, the scheme he mentioned was one of the high-priority schemes that

remain firmly in the main programme. None the less, we are reviewing it as previously proposed, to see whether there is a way of carrying out the widening more cost-effectively, thus saving precious capital resources and enabling the reduced funding to stretch over more miles of the trunk road and motorway network.

When I previously reported to the House on the scheme, draft orders for the works were on deposit, and the Highways Agency was receiving objections and representations. However, the estimated cost of the published scheme is nearly £500 million, so, although it would produce a good economic return in terms of the tests we apply, it would also use up a significant part of the annual budget.

The current review will therefore establish whether some reduction in scale, and thus in costs, can be achieved. That work is now in hand, and it is also taking into account the many detailed points made to the agency during the consultation process. The statutory procedures in respect of the published scheme have been suspended while the review is taking place. I hope later this year to be able to announce the results of the review, and to set out the way forward.

For the moment, I can tell the House that, in carrying out the review, it will remain the aim to meet the operational objectives of the published scheme. Nor will we compromise on the level of environmental mitigation which was substantial under the previous scheme. Although I am looking for financial savings, I am not looking for them at the expense of either noise or environmental mitigation. That is one of the assurances that I know my hon. Friend wished to hear.

The agency examines carefully the environmental impact of schemes and the measures needed to mitigate. A considerable advantage in building on the existing network is that it limits intrusion. That is, however, no reason why those living alongside existing routes should suffer as a consequence. The methods now being examined in the scheme review for achieving environmental mitigation may be different from those involved in the original scheme, but we shall aim to achieve the same result.

Noise levels adjacent to motorways are always a concern, and this scheme is no exception. The overall aim will remain the reduction of existing traffic noise by a significant amount for people living near the motorway. In Luton, barrier heights will vary depending on the local situation. The use of acoustically absorbent barriers where appropriate and justified will reduce reflected noise and offer significant benefits in the urban area. Where possible, barriers will be installed before the start of works to reduce the noise nuisance during construction as well.

The Highways Agency is also considering the use of quieter road surfacing to reduce noise intrusion. However, I must tell my hon. Friend that predictions for the relevant section of the road show that it has too high a proportion of heavy vehicles for the use of porous asphalt to be viable. However, research into noise-reducing road surfaces is continuing, and if a suitable material is available before a decision has to be taken on the type of surface to be used for the scheme, the Highways Agency will, of course, consider using whatever surfacing is of the requisite strength and has the maximum noise attenuation.

My hon. Friend referred to the blighting effect of the proposals on the ability of some of his constituents to sell their property. The Highways Agency has so far bought 27 properties in my hon. Friend's constituency, under the statutory blight legislation, where land will be needed for the scheme. The agency has also used the Secretary of State's discretionary powers to acquire a further 42 properties, but it had to turn down 17 other requests for purchase.

While the published proposals remain on the table, we shall continue to assess applications against them. However, 11 of the refusal cases have been reviewed against the new guidelines which were introduced on 19 July 1995 following the Colonel Owen judgment. They require the agency to consider diminution in the value of property as well as the predicted effects of noise and other physical factors when reaching a conclusion about whether enjoyment of the property will be seriously affected by either the construction or use of the road.

Mr. John Carlisle: It is the diminution of value that is so important. My hon. Friend has referred to the cases of those affected whose properties have been purchased by the Highways Agency, and that is straightforward. It is the diminution of value of so many properties—I know the line is very fine—that is worrying my constituents. I am a little disturbed by the numbers that my hon. Friend has quoted. My experience is that the numbers are rather greater. Shall I encourage people who have come to me, but who may not have come to my hon. Friend, to go to the agency?

Mr. Watts: It is difficult for me to give guidance on that point. Certainly the guidelines are published and available. Any of my hon. Friend's constituents who feel that they might qualify under the guidelines should make an application.

The difference between the new and the old guidelines is that, under the old, a physical effect had to be proven to qualify for discretionary purchase. Under the new guidelines, both diminution in value and physical effects can trigger entitlement to be assessed for discretionary purchase, although the guidelines explain that, usually, discretion will be exercised only where both diminution in value and some physical effects are to be found.

None the less, of the cases that have been reviewed, five have been accepted under the new guidelines that were excluded under the old, and four of those are in my hon. Friend's constituency. I know of at least one other case where an apparently anomalous decision is now being re-examined yet again, and I undertake to my hon. Friend that I will look further at the other specific cases that he mentioned in his speech.

Purchase is not the only remedy. The provisions of the Land Compensation Act 1973 also give owners the right to claim compensation for any depreciation in the value of their property as a result of the physical effects of the road once it comes into use. That becomes payable one year after a road has opened.

My hon. Friend urged me to say more about the timetable, and I understand the unease about continuing uncertainty while the review of the scheme is under way. As he mentioned, some dates have been given in the past, but giving them can often raise false hopes or false fears. It is indeed unfortunate that a letter was sent to one of my hon. Friend's constituents giving a date for which there was absolutely no basis. Following the review of the road programme, the agency is still

[Mr. Watts]

working on what is called the cascading of projects, to make recommendations to me about the years in which they should be implemented.

As I said, I expect to make a further announcement later this year about this scheme. Progress beyond that will depend on the statutory procedures that need to be followed and availability of funding.

This is a very important scheme—as my hon. Friend said, this is one of the most heavily trafficked parts of the motorway network—and we shall make all the progress we can. The scheme is very much needed, and we shall aim to meet those needs without any undue delay.

Question put and agreed to.

Adjourned accordingly at four minutes to Eleven o'clock.

House of Commons

Wednesday 17 April 1996

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Air Pollution

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Wells.]*

9.34 am

Sir Graham Bright (Luton, South): I am grateful for the opportunity to debate an issue that is close to my heart and one that is causing increasing concern in the country at large: the adverse effect of diesel particulate emissions on health and how we can reduce those levels. I shall stick closely to my notes as it is a fairly technical subject and I have a lot to say about it.

I have a vested interest in the matter: I am, and have been since my early twenties, a severe asthmatic. I am by no means alone in that: more than 3 million adults and 1 million children in Britain today are asthmatics. The proportion of young children with asthma in Britain has almost doubled in the past 20 years. Sadly, each year 40 children and 1,900 adults die as a result of asthma attacks, and more than 100,000 are admitted to hospital. As a chronic disease, it interferes with normal activities, with consequent effects on school, work and lifestyle. Almost all asthmatics require long-term medication—in fact, the total cost of asthma approaches £1 billion a year. Therefore, anything that contributes to that cost must be examined very seriously.

I accept that the evidence from the United Kingdom regarding the potential for air pollution to initiate or exacerbate asthma attacks is questionable—not least because there is no universally accepted definition of asthma for clinical purposes. The inconclusiveness of the current evidence, and thus the need for more research, was highlighted in the recent report issued by the Department of Health committee on the medical effects of air pollution. I recommend that hon. Members examine some of the reports that have been produced on that subject. That report looks specifically at the issue of asthma and of outdoor air pollution.

Many asthmatics perceive that air quality has an adverse effect on their condition. There is some evidence to suggest that air quality can exacerbate asthma even if there seems to be little evidence at present that it provokes the onset. However, the debate is important not only to asthmatics.

As another report from the Committee on Medical Effects of Air Pollutants shows, there is increasing evidence that particulate air pollution has an adverse effect on the health of those who do not suffer from recognised respiratory conditions. Therefore, the debate is of great significance to the whole population, but of special significance to those who live or work in our cities and large towns, where avoidable particulate levels are at their highest.

Particulate emissions from vehicles are of special concern, as, despite the introduction of new regulations, the Department of the Environment has forecast that their levels will continue to rise into the next decade. That is in marked contrast with the other well-known pollutants from vehicles, such as carbon monoxide and sulphur and nitrogen oxides, which reached their peak between 1990 and 1992 and are now forecast to reduce.

Particulate matter is a complex mixture of organic and inorganic substances. Particulates are known also as black smoke or PM10s—which are simply particles that are smaller than 10 microns in diameter. In general, the smaller the particle, the more likely it is to penetrate the body's defence mechanisms and pass through the delicate tissues to the lungs. Dust from roads and factories are typically larger than 2 microns, but fine particles—such as those present in vehicle emissions—are smaller than 2 microns.

Because of their size, the smaller particles tend to remain suspended in the air for longer than the larger particles, and therefore they are much more likely to be inhaled. The smaller particles, such as those from diesel exhausts, are thus considered to be the most likely to cause respiratory disease and are known to be carcinogenic—we must take on board that very serious point.

Airborne particulates can also interact with other pollutants: the interaction of sulphur dioxide and smoke is well documented. It is therefore included in air quality standards. It is also possible for particles to provide a surface on which pollutants can concentrate, and so have a greater adverse effect when inhaled. Airborne particles provide a surface on which other reactions take place—for example, they can contribute to the formulation of smog.

Some of us will remember the smogs of the 1950s. In 1952, 4,000 people died as a result of smog. Under the then Conservative Government, much pioneering research was undertaken into the effects of air pollution on health, particularly from the combustion of coal. As a result, the Clean Air Act 1956 was passed. For a long time afterwards, it was thought that the problem of urban air pollution had been solved.

Two main factors, however, have combined to make it necessary for us to think again. First, there is increasing evidence that exposure to relatively low levels of airborne particles can increase mortality and morbidity and lead to respiratory difficulties. Secondly, there has been a large increase in volumes of traffic in our urban areas, which has increased particulate air pollution from vehicle emissions.

There have been many studies on the effects on health, most of which have been carried out in the United States. The United States Environmental Protection Agency has shown a correlation between PM10 levels and the number of deaths in some American cities.

Other studies that have been undertaken in the United Kingdom, Greece, Switzerland and the Netherlands add to the evidence that particle levels commonly found in urban areas increase death rates and trigger asthma attacks.

Mr. Ian Bruce (South Dorset): I have been listening with rapt attention to my hon. Friend, who is obviously an expert in these matters. In referring to people other than asthmatics, is there any evidence to suggest that hay fever is exacerbated by particulates in the air? My family suffers from hay fever, and my wife has a particularly loud sneeze which usually goes off right next to my ear. I would certainly be persuaded to follow my hon. Friend in terms of taking action if it would also help hay fever sufferers.

Sir Graham Bright: Hay fever is a respiratory disorder. It is obviously related to asthma. Most people believe that hay fever is caused by pollen and grass seeds in the atmosphere. It may also be triggered by other particulates that float about in the atmosphere that we breathe. I am not a medical man, but I believe that hay fever may well be triggered by particulates from exhaust emissions.

None of the studies proves that airborne particle levels are a cause of death, but the weight of medical evidence suggests that health risks occur even at relatively low particle levels. The corollary is that reducing particle levels could have beneficial effects on health. That contention is certainly supported by the Government's Expert Panel on Air Quality Standards.

The World Health Organisation recently revised its air quality guidelines for a series of pollutants, including PM10s. The existing guidelines were originally published in 1987, and were based on an assessment of scientific and medical evidence up to 1985. It is interesting to note that, having reviewed all the data available, the World Health Organisation is unable to recommend a threshold level of airborne particles below which no adverse effects can occur. I regard that as a most serious conclusion, as it shows that all airborne particles are dangerous. We must bear that in mind. It also relates to the intervention by my hon. Friend the Member for South Dorset (Mr. Bruce).

The largest single source of airborne particles in urban areas is road traffic, and within that category the largest component is that derived from diesel exhausts, particularly heavy goods vehicles and buses. Almost all heavy goods vehicles and buses run on diesel. There is also an increasing number of diesel cars. About a quarter of new cars sold have diesel engines.

The most visible result of soot from diesel engines is seen in the form of deposits on urban buildings, but it also permeates clothes and hair. It is estimated that an average bus in London—if there is such a thing—emits 1.5 tonnes of soot every year. As Britain has a total bus fleet of 75,000 buses, 112,500 tonnes of bus exhaust are spewed out every year.

Mr. Ian Bruce: Most of it seems to end up on my collar.

Sir Graham Bright: Absolutely.

That is just the tip of the iceberg. When we take into account the number of lorries and taxis, the total amount of soot emitted from diesel engines runs into millions of tonnes a year. In London alone, it costs some £30 million a year to clean up the soot from diesel emissions.

The high particulate emissions from diesel engines are perhaps their main drawback. The second report of the quality of urban air review group, published in 1992, states:

"the impact of diesel emissions on urban air quality is a serious one. Any increase in the proportion of diesel vehicles on our urban streets is to be viewed with considerable concern unless the problem of particulate matter and nitrogen oxide emissions are effectively addressed."

Although, nationally, only 24 per cent. of primary PM10 emissions—that is those released directly into the air—derive from vehicle exhausts—I recognise the point made by the RAC—there are also other causes. If we concentrate on urban levels, however, in 1990 in Greater London, it was estimated that about 86 per cent. by weight of primary PM10 emissions were derived from vehicle exhausts. Therefore, pollution is concentrated where there is traffic in urban areas, but also affects people who live next to major motorways. The M1 passes through my constituency, so air pollution is a cause of concern in the surrounding areas as well as in the town centre.

Other investigations, such as those undertaken by the House of Commons Transport Committee in 1993, provided evidence that much higher levels—up to 96 per cent.—of black smoke emissions derive from road transport in cities such as London, compared with 46 per cent. in the entire United Kingdom.

It is important to consider the subject in respect of local concentrations of particles and their cause, rather than simply looking at the overall figures. In most of our urban areas, PM10 levels are very high. In addition, the vast majority derive from diesel exhausts from medium and heavy goods vehicles and buses—up to 76 per cent. is cited in the Transport Committee report of 1993.

At this point, I hasten to add that there is no reason to be anti-road transport. As I represent Luton, where motor cars are manufactured, I do not want to be anti-road transport, and I am sure that few hon. Members are anti-bus, especially in urban areas. It is important, however, for us to find ways to reduce the problem of pollution caused by buses, so that the full environmental benefits of encouraging more travel by bus can be realised.

It is also reasonable to expect those who develop and operate road transport fleets increasingly to recognise their environmental responsibilities. It is right for the Government to conclude that, because of the high mileage they travel in urban areas, operators of lorries, taxis and buses have a special responsibility to ensure that their vehicle comply with the vehicle emission standards.

It is obvious that bus operators already recognise that: a recent spot check in London revealed that just 8 per cent. of buses were found to be over the current legal exhaust emission level. I congratulate them on that. There is also a lesson for other vehicle operators, as many lorries that pass this building belch out black fumes. Obviously the emissions from buses are much lower than those from other diesel-powered vehicles.

Successive Conservative Governments have an exemplary record in respect of legislation to improve air quality, and the present Government are no exception. I was pleased to be associated with the campaign that led to the Government's decision to insist on stricter controls on emissions from petrol-driven cars compared with those originally proposed by the European Community, which

required all new cars to be fitted with a catalytic converter. In fact, I raised that matter in an Adjournment debate.

As a result of that legislation, nearly 5 million cars on UK roads are fitted with catalytic converters. We also have a baseline threshold for known air pollutants, based on state-of-the-art medical and scientific knowledge. With the measures already introduced, the UK confidently expects to meet its existing international commitments for reductions in nitrogen dioxide and sulphur dioxide.

Further technological advances, such as fast-action catalysts and super-efficient engines, will reduce emissions from petrol-driven cars even further, and much research into that aspect is being undertaken by the main car manufacturers—none more so than Vauxhall, which is located in my constituency.

The Government lead the field, and there can be no doubt of their commitment to ensuring improved air quality. The Government's sustainable air strategy identified urban air quality as one of the key changes to UK environmental policy. That strategy also made it clear that improving air quality depends above all on improvements in the transport sector, and an action plan of two transport-related measures was proposed.

The Government also responded positively to two reports published in November 1995 by the Committee on the Medical Effects of Air Pollutants and the Expert Panel on Air Quality Standards, by laying down strict air quality standards for PM10s in the UK. The expert panel was established following the Government's commitment in the 1991 White Paper, "This Common Inheritance".

The Government have accepted as a benchmark for policy an average daily concentration of 50μg/m^3, which I understand is the equivalent of inhaling not more than 1 mg in 24 hours—quite a calculation. Diesel engines, in common with petrol engine, also emit carbon monoxide, hydrocarbons and nitrogen oxide. Carbon monoxide and hydrocarbons, which cause the characteristic diesel smell, can be easily removed by an oxidation catalyst.

A much smaller percentage of diesel engines compared with petrol engines are currently fitted with catalysts, which perfectly illustrates a particular problem with diesel vehicles. It is not uncommon for diesel-powered vehicles, by contrast with petrol engines, to be kept in use for many years. That is particularly true of buses.

There are about 75,000 single-decker and double-decker buses in the UK seating 17 or more passengers. Of those vehicles, 57 per cent. are more than 10 years old, but 40 per cent. are more than 24 years old. The majority of buses in use today are extremely old vehicles that were built at a time when emission controls were not a high priority. A major trial in London launched in January by my right hon. Friend the Secretary of State for Transport must be v holeheartedly welcomed. The trial will involve about 7,000 London buses running on reduced or low sulphur diesel, and some will be fitted with oxidation catalysts. That is good news, but it does not address the problem of particle emission from buses, taxis and lorries.

The progress made with legislation to reduce emissions from heavy goods vehicles in the form of European Union directives 1 and 2 is also welcome, and will be fully effective in respect of vehicles of more than 7.5 tonnes from October. It will bring the emission limits for new diesel vehicles in line with the stringent standards that were introduced in the USA in 1994, and will set a limit on particulates for the first time.

However, I emphasise that the limit is still far too high, as evidence from health studies shows. We should aim at a much lower limit. The new limit will apply only to new vehicles, so, because of the long service to which many vehicles are subject, it will be many years before the limit becomes fully effective. For that reason, there is a strong case for the Government to act to encourage the retrofitting to all diesel vehicles of oxidation catalysts and devices to control particulates.

The unique challenge in controlling diesel emissions is that of removing particulates. The only effective way is filtration. Particulate filters, or traps, are known to be highly effective in reducing PM10 levels from diesel exhausts by as much as 90 per cent.—which makes them an effective piece of equipment. Several mechanisms have been developed, but the problem with any conventional filtration device is that it soon clogs and needs replacing, or the soot must be removed by high-temperature combustion. It is not reasonable to expect that to be done on a large scale, because of the practical difficulties and cost.

A much more interesting development in filtration technology is the so-called continuously regenerating trap, or CRT, which was developed in the UK by Johnson Matthey. The CRT works by an ingenious combination of catalyst and filter technology, to remove particulates as well as carbon monoxide and hydrocarbons, which give the characteristic diesel smell. The device comprises two chambers, which can be engineered to provide sufficient sound deadening to replace the conventional silencer and be mounted in its place.

A conventional oxidation catalyst is located in the first chamber, which ensures among other things maximisation of the oxidation of nitrogen monoxide to nitrogen dioxide. The second chamber contains a second filter that traps the particulate matter, which is mostly soot or carbon. The carbon reacts with the nitrogen dioxide to form carbon dioxide and nitrogen—both of which are then emitted as gases. Not only does the filter continuously clean itself, so that it does not need separate cleaning or replacing, but the process reduces the amount of nitrogen oxide.

I had the pleasure of observing the effects of the CRT by comparison with a conventional exhaust system fitted by Johnson Matthey to a 16-year-old Bristol VTR bus, which already had 2.3 million miles on the clock. The results were amazing. When the bus was run, the conventional exhaust system produced black smoke and the smell normally associated with diesel engines. When the bus was switched to the CRT system, the smoke and smell immediately disappeared. If one places a white handkerchief, as I did, over the exhaust outlet, it stays white—so we know that the technology works.

The CRT can be fitted to any turbocharged diesel engine. It is estimated that about half the buses in use today are fitted with such engines. Unfortunately, as many of the old Routemasters used in London were fitted with normally aspirated engines, they are not suitable for retrofitting. It is thought that about 20 per cent. of London's current bus fleet could be fitted with CRTs immediately.

As a minimum, I should like CRTs fitted to every new heavy goods vehicle, bus and taxi—and eventually to diesel cars. Even vehicles that are not suitable for CRT

[Sir Graham Bright]

could benefit from an oxidation catalyst, which remove some particulates as well as most of the carbon monoxide and hydrocarbons, which cause the diesel smell. That improvement would come as a relief to many people.

It is often suggested that retrofitting heavy goods vehicles with emission control devices would be prohibitively expensive. In fact, for a large lorry or bus, it would cost about £3,500, and considerably less for smaller vehicles. As a stab in dark, I assume that the cost for a smaller car or taxi would be £700 or £800. CRTs would be a reasonable and affordable suggestion for all urban-based heavy goods vehicles, taxis and buses, and they should be retrofitted.

There is no doubt that the balance of costs and benefits will make retrofitting even more attractive in the future. The more people that call for CRTs to be fitted, the cheaper they will become, just as happened with catalysts on motor cars. I suggest that the potential benefits for urban air quality would justify fiscal measures to encourage CRT use.

Several trials are being undertaken in which CRTs are fitted on commercial buses. In spring last year, Oxford City Buses started using 20 new Dennis buses fitted with CRTs. As many will be aware, Oxford is one of the cities that has pioneered the increased use of mass passenger transport to reduce car use, so the decision to trial CRT there is obviously especially important.

As an example of CRT being retrofitted to buses, Manchester North Western retrofitted CRT, in December last year, to two of its buses operating in Warrington. I am sure that the House will also be pleased to know that the Conservative-controlled Westminster city council wrote vehicle emission limits into its recently awarded contract for refuse collection. As a result, the company undertaking the contract is fitting CRTs to all its vehicles. We see dustcarts belching out fumes as they compact the trash, and it is nice to know that they will no longer blow out soot in Westminster.

What can be done here in Westminster could be done all over the country. I suggest that fiscal measures should be introduced to encourage that to happen. Those are some of the examples of the use of CRT fitted to heavy good vehicles to the benefit of the urban environment.

The only real barrier at present to CRT is that, in common with all catalytic systems, it needs very low sulphur diesel to work. I appreciate that new EC legislation will lead to lower sulphur fuels being introduced in October this year. I congratulate Shell on having already introduced them. That is good, and should be encouraged. Obviously, compliance with Euro 2 particulate emission limits will reduce sulphur particulates, but the EC limit is well above that in place in Sweden, where very low sulphur diesel—or so-called city diesel—which contains less than 50 parts per million sulphur, is now the norm.

City diesel is available in the United Kingdom, but, because it is not a requirement, the outlets are far too sparse for most practical purposes. The company Greenergy should be congratulated on its initiative in supplying very low sulphur diesel in the UK, as should Sainsbury's on its efforts to increase the use of Greenergy low sulphur diesel from several of its hypermarket fuel outlets.

I accept that it may be possible, with further research, to develop a particulate trap system that does not require such low sulphur fuel, and that should be encouraged. But it is galling to think that we could have benefited from the use of such devices now if low sulphur fuel was more freely available.

I have been talking about ways of reducing the particulate emission from existing diesel engines and thus obtaining an immediate improvement in urban air quality. It is also important, however, to consider other ways in which the problem of particulate emission can be tackled in the longer term.

Without doubt, some of the cleanest fuels that could be used in buses and other commercial vehicles are liquid petroleum gas, or LPG, and compressed natural gas, or CNG. LPG and CNG emit almost no particulate matter, and would be ideal fuels for use in commercial vehicles in towns and cities. Bus companies, in particular, should be encouraged to convert or replace their fleets with vehicles able to use LPG, and they should be provided with incentives to do so. That is especially important, because nil particulate matter comes out of the exhaust when LPG is used.

I await with interest the results, due some time this year, of the trials that have been set up under the Government research project on alternative fuels. Those include trials on the use of LPG, CNG, biodiesel, city diesel, electric vehicles and hybrid vehicles, such as electric-diesel and electric-petrol. Trials are being carried out all over the United Kingdom, many on commercial vehicles. In the long term, those trials could lead to vehicle developments that virtually eliminate urban particulate pollution. In the meantime, however, the problem of what to do with vehicles currently in use will remain.

As an asthmatic, I welcome the fact that the Government recognise the need to take action to reduce airborne particulate pollution, especially in urban areas, and that much legislation has been passed to ensure that. However, because of the seriousness of the problem and the nature of its cause, I do not believe that we can just sit back and wait for the effects of legislation to work through. There is increasing evidence that improving urban air quality represents one of the major future challenges to human health. We have the technology to take a quantum leap in improving urban air quality by reducing particulate emission from vehicles in use now.

I urge the Government to take whatever fiscal and legislative measures are necessary to ensure that. Differential taxing of low sulphur diesel would encourage the fitting of catalytic converters and continuous regenerating traps to all vehicles, just as it encouraged the use of unleaded petrol. Differential taxation also already exists for natural gas, and should be extended to LPG.

We could provide capital allowances to fleet owners to retrofit emission control devices to existing diesel vehicles, and we could reduce the road fund licence for heavy goods vehicles fitted with emission control devices. Tax incentives to encourage research into emission control technology and cleaner alternative fuels would increase the already substantial research programme. As I said a moment ago, there are arguments between fuel suppliers and the manufacturer about whether the existing CRTs can operate on low sulphur fuels, and more research is required.

The benefits of new technology and its ability massively to reduce the problem of urban particulate pollution could be realised now, if we had the will. I urge the Government to be consistent with their excellent record of taking steps to improve air quality, and to do whatever is necessary to ensure that those benefits are realised sooner rather than later. That is a plea from the heart from someone who suffers, with millions of others, from respiratory problems. We could do much to make our lives very much better.

10.8 am

Ms Joan Ruddock (Lewisham, Deptford): First, I congratulate the hon. Member for Luton, South (Sir G. Bright) on securing the debate. I sympathise with him because of his asthmatic condition. I know from what many of my constituents have told me how distressing a condition it is. As we have heard from the hon. Gentleman, at times it can be life-threatening.

Particulate matter pervades all our environments. In towns and cities, it is most obvious when it is close at hand, in the form of the noxious black smoke that emanates from road vehicles. Many industrial processes, while cleaner today than perhaps ever before, still add to the burden of particulates. Less well known, and not referred to in the debate so far, are the hazards faced by those in rural areas, whose immediate environments may be idyllic. They may be overshadowed, however, by a giant mining or quarrying operation.

Road transport is the greatest single contributor to particulate emissions, but nearly three quarters of total particulate emissions are calculated to come from other sources, spanning both industrial and domestic sectors. As particulates come from so many sources, the starting point for tackling the problem must be to recognise that a holistic approach is required. Such an approach can never be successfully fostered, however, by a Government who are bent on deregulation, privatisation and the awarding of fat cat profits at the expense of public service.

Any meaningful approach to tackling air pollution must encompass the need for national transport and energy policies that are consistent with sustainable development. That is the challenge to which, sadly, the Government cannot rise. It is an issue to which I shall return.

For the moment, let us consider where consensus lies. Particulates have been produced by human economic activity for many centuries. What is new is our knowledge of the range and type, and, more specifically, of the health effects. As the hon. Member for Luton, South said, size appears to be the key to particulates and predictable adverse health effects.

Tiny particles known as PM10s reach deep into the lung and can enter the bloodstream. Research undertaken by Dr. Joel Schwartz of the Harvard school of public health led to a strong statistical association between PM10 levels and daily death rates. He estimates that, in the United States, 60,000 to 70,000 early deaths a year are the result of average current concentrations of particulate air pollution, reducing life expectancy as a consequence by several years on average.

It is interesting to note that a new five-year study in London has recently found that more people die when ozone and particulate levels in air are high. The report confirms the results of earlier research, and suggests that there is a need for the Government to curb the impact of traffic pollution on urban air quality. The current edition of *The Ends Report* notes that, in 1995,

"the London Air Quality Network reported that London's air quality was deteriorating despite the introduction of catalytic converters on new cars."

Extrapolating the results of American research to the United Kingdom gives us 10,000 premature deaths per annum. I look to the Minister to tell us whether he agrees with or refutes that extrapolation.

The Committee on Medical Effects of Air Pollutants, reporting in September 1995 on the health effects of non-biological particles in outdoor air found that there was clear evidence of associations between levels of particles such as those found in the United Kingdom and indicators of damage to health. The committee reported that people with pre-existing respiratory and/or cardiac disorders would be expected to be most at risk of acute effects from exposure to particulates. It stated in its report that the effects range from changes in lung function, to increased symptoms, to days of restricted activity, to hospital admissions and to premature mortality. The committee added:

"it would be imprudent not to regard the link as causal."

The hon. Member for Luton, South outlined clearly, at a human level, the consequences that are embodied in the report.

We need to look also to the Government's Expert Panel on Air Quality Standards, which reported two months after the committee's report. It is significant that it stated that

"it was not yet possible to identify a threshold level for particles below which no ill effects occur."

That is much in line with the World Health Organisation's report, from which the hon. Member for Luton, South has quoted.

The panel went on to recommend a new standard of 50 $\mu g/m^3$ as a 24-hour running average. I note that the Minister is nodding. It is more significant that the panel recommended that the Government implement a strategy that would reduce progressively both the numbers of 24-hour exceedances of 50$\mu g/m^3$ and annual concentrations of PM10s in the UK. I understand that the Government have accepted the 50$\mu g/m^3$ as a standard. I hope that the Minister will tell us what further consideration he has given to the factors that take us beyond acceptance of the recommendation as a working standard.

I suspect that the Minister, like myself, is more than aware of the exposure above the standard of 50$\mu g/m^3$ that has occurred in our major cities on many occasions recently. In London, the level was exceeded 29 times. The latest figures that I have relate to 1993. In Belfast, it happened on 45 occasions. In the centre of Birmingham, it occurred on 24 occasions. The figures for Leeds and Bristol are 23 and 25 respectively. We might reflect on what that means in terms of human health.

Perhaps it was those figures that prompted the independent advisory quality of urban air review group to compile a recent report on particle pollution. I wonder what has happened to that report. I wonder whether the Minister will tell us. There are some who believe that the report has been suppressed. Will the Minister tell us what is in the report and what is recommended? Will he tell us also whether he intends to publish it?

[Ms Joan Ruddock]

Do the Government accept the 50μg/m³ standard and the need to put a strategy in place to enable us to improve on it? That is surely what the hon. Member for Luton, South has been urging. Will the Minister—

The Parliamentary Under-Secretary of State for the Environment (Mr. James Clappison): Will the hon. Lady give way?

Ms Ruddock: I have many questions for the Minister. The hon. Member for Luton, South has paid him several compliments and made some suggestions, but I have many specific questions. I hope that he will respond to them. We have time, and he has the opportunity to respond.

Mr. Clappison: I could respond now.

Ms Ruddock: I am grateful to the Minister for offering to answer now. As I have so many questions, however, he might find it more convenient to answer later.

Will the Minister tell us specifically when the 50μg standard will be adopted, and when he believes that it could be met? Furthermore, what is the Government's view of recent research that indicates that particles smaller than 10 microns are even more injurious to human health?

When will the national air quality strategy be published? A strategy is now long overdue. What are the reasons for the delay? Has there been delay because, as some suspect, other Departments are dragging their feet? How will the Department of the Environment be reconciling the UK strategy with the European framework directive on air quality management and assessment?

Where is the Government's guidance on air quality management for local authorities? I remember well the debates in Committee on what was the Environment Bill. At the last minute, the Government introduced many new proposals in response to the tremendous pressure from the Opposition and many pressure groups. As I have said, they introduced a set of new proposals. They were unable to answer many questions, to produce timetables or to give details. They were unable to produce targets and standards.

The Government promised, however—we legislated to this effect—that, under the Bill when enacted, local authorities must have regard to guidance on the management of air quality in undertaking their new air quality and air management functions. However, although 14 local authority areas have been chosen to pilot the air quality management scheme, no guidance has been published. When will it be published—or will those local authorities just be expected to get on with it? Many of them, of course, have already been doing just that under Labour administrations, taking initiatives long before the Government was embarrassed into making a commitment on air quality strategy.

It would also be helpful if the Minister would say when the pilot schemes are expected to come on stream, and whether a mechanism has been decided for the distribution of the funding of those schemes. He will undoubtedly be aware that local authority associations believe that the pilot scheme will require £15 million if it is to work effectively, but the Government have allocated just £3 million, to be divided, apparently, among 80 local authorities. Will the Minister elaborate on that, because local authorities are very anxious about their ability to meet the new duties that the Government have imposed on them? When and how will that money be distributed?

I have no doubt that the Minister will be able to tell us some of the measures that the Government undertook in the previous Budget, to which the hon. Member for Luton, South referred—for example, duties on fuel, which are important because the use of fuel impacts on air quality—but, as always, the measures are piecemeal. They lack the essential strategic impact, and attempt to use simplistic market mechanisms as a panacea for all environmental problems.

Where is the advice and the support to local authorities on this issue? The hon. Member for Luton, South referred to the experiments, with which I am familiar, that local authorities have undertaken of their own volition, but where is the encouragement from the Government for local authorities to put their own houses in order? Where is the encouragement for them to run environmentally friendly municipal vehicles? Where is the encouragement for bus companies to run environmentally clean buses?

My local authority of Lewisham has undertaken to experiment with electric vehicles, which are ideal in city centres and the inner city, but my council, like every other council in the land with the exception of Westminster, is strapped for cash because of the Government's policies towards local government.

The vast majority of councils in Britain, which are controlled by the Labour party, are effectively defending the environment and looking for new solutions to critical problems, but they are stopped in their tracks repeatedly by a totally unsympathetic, ideologically hidebound Government who do not support such local authority initiatives. Is it not true—perhaps the Minister will specifically answer this question if indeed it is but an ugly rumour—that Treasury cuts are preventing London Transport Buses from investing in a package of pollution-control measures? I ask the Minister to give a clear yes or no on that issue. Why are the Government prevaricating on so many fronts?

Is the Minister aware that not only does the failure to act mean a continuing toll on human health, but it is a serious loss to British industry? The Government's decision to postpone the deadlines for the control of industrial emissions, for example, from the coating sector, have already had a severely detrimental effect on Britain's environmental technology and services industry.

The technology already exists for particulate emissions to be substantially reduced through PM10 filtration. Such measures would benefit our health and our environment, would boost our environmental industry and create much-needed jobs, but instead the Government prevaricate. No doubt they have bowed to lobbying pressure from the industry and put back the deadline, to the detriment of everyone else.

The hon. Member for Luton, South praised some of the efforts of sectors of the car industry in trying to solve their problems. We, too, applaud those efforts. Much can be done—much is being done. We very much support the technical fixes, such as the CRT—the continuous regeneration trap—filtration, the efforts of Johnson Matthey, and all the work that is being done in that direction, but, as the hon. Gentleman revealed, if we are

to have the benefit of these technical fixes, we will eventually need another technical fix, such as low-sulphur fuels.

We have many ancient buses on our streets today, which pollute our urban environments, as a direct consequence of Government policy. The hon. Gentleman challenged the Minister to respond on fiscal policies, and the Minister must do so. Yes, it can be a matter of fiscal incentives to get the technical fixes in place, but because of bus deregulation and privatisation there has been a tremendous lowering of standards, an increase in the age of the buses on the roads, and, indeed, a fall in their maintenance, which is critical if we are to deal with their emissions.

We accept that technical fixes have an important part to play. We are very much committed to the search for technical fixes, vehicle traps, the use of clean fuels and of cleaner fuels, but overall, no amount of technical fixing can solve the problem alone.

What is required was spelt out to the Government in the report on transport of the royal commission on the environment. The Government, for the first time in history, failed to respond to that report, which laid out a strategy for the whole nation. It explained why technical fixes alone are not enough, and why we must have an integrated and co-ordinated transport system and a national strategy aimed at encouraging and assisting people to use their cars less and to use clean, public transport more. The cleaning up of public transport and municipal vehicles to produce cleaner air for our citizens would reduce the costs to the NHS and the burden of human illness.

All that is laid out clearly for the Government, but they cannot rise to the challenge, because they do not accept national strategies or local government involvement. Today, when we launch the local government campaigns, we can expect the Government to reap the rewards of their total failure to act to clean up our environment and our air in the towns and cities of this country.

10.28 am

Mr. Nicholas Winterton (Macclesfield): I congratulate my very good friend the hon. Member for Luton, South (Sir G. Bright) on securing this important debate on air pollution by particulate matter. He advanced a great deal of detail, as did the hon. Member for Lewisham, Deptford (Ms Ruddock), who speaks for the Opposition. I am as concerned as the hon. Lady and my hon. Friend, but I regret the party political rhetoric that she introduced into the debate. My hon. Friend sought to tackle the problem constructively, giving the Government credit where credit was due, but being constructively critical—not party politically critical—where he believed that the Government could have done more.

Towards the end of her speech, the hon. Member for Deptford said that the overwhelming majority of local government was under socialist control. I am pleased to say that I come from one of the few parts of the United Kingdom where the Conservative party has overall control. I refer to Macclesfield borough council, whose leader is frequently praised by the Labour and Liberal Democrat leaders for the policies that the council pursues. Only recently, it received plaudits for being one of the most environmentally friendly councils in the country.

Although I accept a number of the points made by the hon. Lady, I will not accept her claim that only Labour can reduce pollution. I am not sure, for instance, that, when buses were in the public sector, the companies involved made the investment in new vehicles and technology to which she referred.

Ms Ruddock: It is a matter of record that the bus companies bought more new vehicles when they were publicly owned. Since privatisation, the rate of purchase and renewal has decreased, and as a consequence the aging vehicles are producing greater emissions. Moreover, maintenance has declined under the new regime of privatisation and deregulation.

Mr. Winterton: I am not sure where the hon. Lady finds her facts and statistics. In my view, the age of a vehicle is sometimes less important than the way in which it is maintained. Having used public transport exclusively in the early part of my working life, I can assure the hon. Lady that buses used not to be maintained to the standard that she suggested.

My hon. Friend the Member for Luton, South represents a constituency in which motor vehicles, both domestic and commercial, are very important to the local economy. He has immense knowledge of the industry, and he has done the House a service by raising the subject. I support not only his views in general, but his suggestions as to how the Government can reduce air pollution. He said that he supported their modest fiscal measures relating to, for instance, diesel fuel and unleaded petrol, but felt that they should go further. I agree.

Some years ago, I formed the Manufacturing and Construction Industries Alliance. The last thing that I want is any Government measure that would further undermine or destroy our all too narrow manufacturing base. The Government owe it to the people, and to industry—which is the only source of non-inflationary sustainable economic growth—to help to reduce the pollution of our environment, and air pollution in particular.

I fervently believe that the Government, who have fiercely resisted a return to capital allowances, should consider that way of encouraging people to introduce new technology to reduce such pollution. I ask my hon. Friend the Minister, along with my right hon. and learned Friend the Chancellor of the Exchequer, to consider introducing fiscal measures—I use the phrase in its widest sense—and capital allowances. That would make possible technological advances which, certainly in the case of commercial and domestic motor vehicles, could make a major contribution to the reduction of air pollution by particulate matter.

Unfortunately, there is an anti-roads lobby. I believe that bypasses and properly assessed road projects can in themselves contribute to the reduction of pollution. Most pollution caused by vehicles occurs when they are idling in traffic jams and then moving forward a few yards. Congestion is a major problem, especially in urban areas. I regret the dramatic cut in road projects which would often enable traffic to flow more smoothly, thereby reducing air pollution.

As an asthmatic, my hon. Friend the Member for Luton, South is perhaps better qualified to speak about the subject than most of us—the hon. Member for Deptford paid tribute to him on those grounds—but he also has considerable knowledge of the subject. The House, and the Treasury in particular, should respect that knowledge.

[Mr. Winterton]

I am sure that my hon. Friend the Minister will respond positively, constructively and sympathetically, but I ask him not to pull his punches behind the scenes. He should urge the Treasury to introduce both fiscal measures and capital allowances, along with other measures to reduce air pollution.

My hon. Friend has done the House and the country a service by speaking as he has today.

10.36 am

Mr. Andrew Robathan (Blaby): I apologise for not being present at the beginning of the debate. I also apologise to the hon. Member for Lewisham, Deptford (Ms Ruddock) as I heard only half her speech.

As my hon. Friend the Member for Macclesfield (Mr. Winterton) pointed out, this subject is important to everyone—not just those who endure air pollution in Westminster, where I live during the week. I am sorry that the hon. Member for Deptford spoke in party-political terms, because air pollution involves everyone in an apolitical sense. Public attitudes and public policy must be changed. Let us not pretend that every person who sits in a motor car jamming up The Mall, Millbank and Parliament square is a Labour or Conservative supporter; all those people are individuals, who have chosen to drive their cars. We need to change their attitudes. I travelled here by bicycle this morning, and I trust that the hon. Member for Deptford used public transport. She does not seem to be nodding, but I am sure that she uses public transport much more than her car. After all, this place is very well served by public transport.

The hon. Lady made two points. I do not wish to dwell on party-political matters, but she raised them. One was about local government, and how efficient it could be. I see that the hon. Member for Lewisham, East (Mrs. Prentice) is also present; she and I used to sit together on the back benches of Hammersmith and Fulham council. If I believed that that council used its funds efficiently when it was run by the Labour party, I might agree with more that the hon. Member for Deptford said, but in fact it was appallingly inefficient in those days. Money was spent on, for instance, a women's slide library and a women's bus, which—with a great fanfare—was bought for politically correct reasons and parked in the square. It travelled eight miles in a single year in order to be serviced.

Ms Ruddock: According to the hon. Gentleman, party politics have no place in the debate.

Mr. Robathan: I am replying to what the hon. Lady said. She made a party-political speech.

The hon. Lady also suggested that private enterprise and the market had no place in public transport and public policy issues. She particularly mentioned privatisation, and her approach sits ill with new Labour policies. I also see the way in which private enterprise drives matters such as transport much better than the old, dead hand of bureaucracy. I want a good transport system in this country, and such a system is not well driven by Government hand-outs, which have never worked. One has only to consider British Rail, which we shall be discussing this evening. When I was born, there were 15 stations in my constituency. Every one was closed by a nationalised British Rail, and one was reopened under a Conservative Government. Does the hon. Lady want to say more? No.

Ms Ruddock *rose—*

Mr. Robathan: Oh, yes.

Ms Ruddock: I in no way suggested that the private sector did not have a role to play. I paid tribute to parts of the private sector in the motor industry and others. I said that the policy of privatisation and deregulation has destroyed our public transport. That has happened in respect of buses. We have poorer and more expensive services and very much worse vehicles in general on our streets today than when the service was under public ownership. The same will happen with the railways, which are already in a dire state in the run-up to privatisation—and deliberately so, because of the Government's policies. The issue is party political because the Government—

Madam Deputy Speaker (Dame Janet Fookes): Order. That was becoming a mini-speech rather than an intervention.

Mr. Robathan: I ask the hon. Lady to defend the record of British Rail. Many excellent people have worked hard, but can she defend its record in closing all those stations? Perhaps in Lewisham, too, the hon. Lady can identify one or two old lines, the course of an old railway on the map, along which once upon a time people travelled before nationalisation.

In my constituency there is a plan to build a new power station and it is causing great concern to many local people. I would say, as we sit under electric light, in an air-conditioned room, using electricity, that it is absolutely vital to air quality and health that we examine all such new bids to discover the impact of a new power station on a highly populated area. My hon. Friend the Minister has already mentioned the issue in response to a question that I asked him previously. It is absolutely essential that we do not, whether driven by the market or by other reasons, build power stations that will pollute not only my constituency but, worse, a highly populated area as the prevailing wind takes the air straight over the city of Leicester. It is important that such matters are considered in very great detail before they proceed.

Mr. Barry Field (Isle of Wight): My hon. Friend may like to know that the Isle of Wight is unique in having the only health authority in the United Kingdom which sponsors an asthma and allergy research department. I pay tribute to my hon. Friend the Member for Luton, South (Sir G. Bright) for securing the debate and I suggest to my hon. Friend the Member for Blaby (Mr. Robathan) that if he has any concerns about difficulties caused by pollution over Leicester he should send his constituents to the Isle of Wight to see the work being conducted there in trying to find a cure for this dreadful problem.

Mr. Robathan: I am grateful to my hon. Friend. Asthma caused by emissions from power stations is of great concern. As we sit here in London near Battersea and Bankside power stations, which have been closed, and

the London Transport power station in Lots road, which has also been closed, we should consider whether centres of population are good places for emissions from power stations.

I am the president of the Electric Vehicle Association of Great Britain Ltd. I do not need to declare it as an interest since the post is entirely honorary. As the hon. Member for Deptford said, electric vehicles can play a part—but only a part—in reducing emissions in our inner cities. With the hon. Lady, I very much hope that the Government will consider further supporting research into the development of electric vehicles, which can play an important role.

Time is short and I know that my hon. Friend the Minister wants to get on. In considering emissions, we need to consider energy, and reducing its use, as has been mentioned. That includes the conservation of energy—an area in which the Government have taken great strides. It is a pity that we did not receive the Opposition's support in reducing energy use through fiscal means last year.

Ms Ruddock: Perhaps the hon. Gentleman should remember that the Government have just cut the budget for home energy efficiency by a third.

Mr. Robathan: I thought that the hon. Lady might raise that. Who set up that home energy efficiency scheme? I seem to recall that it was the Conservative Government. The scheme has enabled some tremendous work to be done and it continues to do so.

My hon. Friend the Member for Luton, South (Sir G. Bright) specifically referred to diesel pollution. I am the chairman of the all-party cycling group. It is important that hon. Members should not only set an example—that is too easy and perhaps too trite to say—but, as is happening in the Department of Transport, should encourage the movement of public policy in the Departments for Education and Employment and for the Environment towards greater encouragement of cycling and walking. It is easy to mouth the words, but it needs to be written into planning policy guidance, and so on.

Reference has been made to private enterprise and we could briefly mention alternative energy sources. It is proposed that the ferris wheel planned for opposite this place—I am not entirely sure that I want to see it there—be powered by tidal power from the River Thames. Incidentally, it is a private enterprise proposal. The proposal is to be supported and applauded, but at the same time, through enabling measures, we should be encouraging the use of the River Thames as a transport highway.

I shall not dwell on public transport because, as the hon. Member for Deptford said, we all need to use it more. This place is so well served by buses it is extraordinary. One can get almost anywhere by bus, including late at night. I commend the London Transport bus map to the hon. Lady.

We need a change of culture and of public policy. We need to change the civil service attitude that the problem of transport congestion is solved by the building of a new road. That attitude has changed dramatically in my four years in the House, but we must go further. We must ask what is good for all the people of this country, not just for us as individuals who selfishly sit in our little boxes by day. Let us change the culture and let all parties and the Government take a total view and move forward in reducing air pollution and emissions from vehicles and power stations.

10.46 am

The Parliamentary Under–Secretary of State for the Environment (Mr. James Clappison): I welcome the opportunity to respond to this important debate. I congratulate my hon. Friend the Member for Luton, South (Sir G. Bright) on initiating the debate which, as he so rightly said, concerns an important subject which affects many people, including many who suffer from asthma and other conditions. My hon. Friend is among those who suffer from asthma, and he was able to bring to the House his personal experience, which I am sure is reflected among many of his constituents and the constituents of other hon. Members. I also pay tribute to him for the very authoritative way in which he took the House through a fairly detailed and technical subject. I am sure that he did full justice to the science involved.

I think that it is right in such a debate that we recognise at the outset that we are dealing with a technical and scientific subject that requires detailed consideration, which is very well repaid by coming to the right strategic conclusions. As my hon. Friend the Member for Luton, South and my hon. Friends the Members for Macclesfield (Mr. Winterton) and for Blaby (Mr. Robathan) have said, the debate calls for a constructive response.

I hope that the House will not mind if I am not tempted down some of the wider avenues down which the House was taken earlier. I agreed in part with some of the comments of the hon. Member for Lewisham, Deptford (Ms Ruddock). It is important for the sake of all those affected by this important subject that we all try to take a constructive approach toward it. I agreed with some of her observations, but I am sure that she would not expect me to agree with all of them. I most firmly disagree, however, with her point about a holistic strategy. All the evidence of the Government's work over the past few years points towards formulating a holistic strategy on the basis of very careful scientific analysis. The hon. Lady referred to some of that analysis: the Expert Panel on Air Quality Standards, the strategic document "Air Quality: Meeting the Challenge", and the report of the Committee on Medical Effects of Air Pollutants. We are trying to proceed on the basis of proper, informed scientific debate.

I shall briefly address some of the detailed points made by the hon. Member for Deptford, which require explanation, rather than some of her wider points.

The hon. Lady referred to the limit of 50 microns proposed by the Expert Panel on Air Quality Standards and to the health effects that were the basis for that proposal. It is important that the public understand that the panel proposed that standard on the assumption that although associations between particles and ill health are causative, particle pollution episodes are most likely to exert their effects on mortality by determining the time of death of those rendered susceptible by pre-existing illnesses. She will know that some of the sources of particles occur naturally; that is why it is so difficult to reach a conclusion about a safe standard. Even those which occur naturally—without any additional human-caused particles—would have some effect on health.

The hon. Member for Deptford asked when the standards will be adopted, and I refer her to the expert panel's report and the Government's response to it. I draw

[Mr. James Clappison]

her attention to the Government's response to the report of the Committee on Medical Effects of Air Pollutants, which answers many of her questions. She should be aware that the Government have accepted the expert panel's recommendation that annual average levels of PM10 should continue to be reduced progressively. If I have time, I will explain in detail the measures that we are putting in place to reduce those levels.

The Government have accepted the conclusion that the 50 micron level represents a level at which the large majority of individuals will be unaffected, and we have adopted that level as a relevant benchmark for policy. Importantly, we are committed to considering as quickly as possible whether such a level should be adopted as a target for policy in line with the air quality strategy review now being prepared under the Environment Act 1995. The air quality strategy, which will be available shortly, will be the basis for our holistic strategy.

Ms Ruddock: When will the strategy be made available?

Mr. Clappison: The hon. Member for Deptford knows that we are working towards a strategy based on the best scientific advice, and consideration must be given to that advice. She would expect no less.

The hon. Member for Deptford asked about smaller particles—an important subject. The Department of Health is looking at the evidence on the effects of particles smaller than PM10, and my hon. Friend the Member for Luton, South referred to the fact that smaller particles can remain suspended in the atmosphere for longer than larger particles. It is thought that, in some circumstances, smaller particles can have more profound effects once they have been inhaled. The Department of Health is looking at that matter.

I reject what the hon. Member for Deptford said about local authorities, because the Government are working constructively on the matter with local authorities of all political views. It was a bit rich for the hon. Lady to imply that the Government were failing to work with local authorities and then—in the next breath—to refer to the trials of the new duties taking place in 80 local authorities in 14 different areas up and down the country.

The hon. Member for Deptford asked for guidance to be issued, but it would be premature to give detailed guidance before the national air quality strategy setting out our detailed strategy is made available. That strategy will be available shortly.

Ms Ruddock: When will local authorities start their pilot schemes?

Mr. Clappison: Local authorities are already undertaking the work, and a local authority liaison group is in operation. There is no question that the Government are working in partnership with local authorities.

I wish to refer to the important issues raised by my hon. Friend the Member for Luton, South in his constructive speech. He talked about the new technology available for diesel vehicles, and referred to the continuously regenerating trap. He dealt constructively with the costs and benefits of such a system, and pointed out that the balance of costs and benefits is likely to change over time. The Government will keep the issues that he raised under careful review, because there is clearly potential for important progress to be made in reducing emissions through that technology, including that developed by Johnson Matthey.

I come now—in as much detail as I can manage—to our overall strategy to reduce particulate matter and to make a major contribution to improving health. The House heard that, last November, the Government welcomed the report of the Committee on Medical Effects of Air Pollutants, and the report of the Expert Panel on Air Quality Standards recommending an air quality standard for particles. The reports concluded that even at the much lower levels now found in the United Kingdom—I emphasise that the levels are falling—particulate matter worsens the condition of people with lung or heart complaints.

The reports give a clear indication that managing and improving the levels of particulates must be one of the top priorities for air quality. The Government have accepted the expert panel's recommendation as a relevant benchmark for policy and we are determined to continue to reduce average levels of fine particles. Our policies and tools for doing that will be set out in the national air quality strategy.

We must deal first with the medical facts—some of which I have mentioned—which have been carefully scrutinised by the committee on the medical effects. The committee's findings ranged across a number of conditions, including heart and lung complaints and other respiratory conditions, and the committee made some important remarks about causation.

The expert panel recommended that a standard of 50 microns should be adopted, and that this should be measured on a 24-hour running average. Measurements of fine particles such as PM10 are relatively recent, but we have been measuring black smoke for several years. From these measurements, we can estimate that average and peak urban levels of fine particles have fallen more than tenfold since the 1960s. Annual average levels of PM10 are now roughly half the expert panel's recommendation, but in our towns and cities—another important point raised by my hon. Friend the Member for Luton, South—the 50-micron limit is exceeded roughly 10 per cent. of the time. The panel recommended that that figure and the annual average concentrations of PM10 should be progressively reduced.

Much of the particulate matter is from natural sources, but I wish to refer also to the measures to be taken to reduce those from human sources. Road transport causes 25 per cent. of all pollution, but the figure is much higher for particulates in urban areas. It is clear that action needs to focus on measures to reduce emissions from road transport to cut particulate levels.

We have not been waiting for the evidence to be firm before acting. Since 1992, the standards of all new on-road vehicles have been progressively tightened. The latest standards—introduced after a breathing space of only three years—were introduced in January this year, and reduce the particulate limit for new lorries and buses by 58 per cent. Further tighter standards will be brought in for diesel cars next year to reduce emissions relative to the 1993 standard by 43 per cent. Standards are being

agreed for light diesel vans for implementation in 1997 and 1998. These regulations reduce not only particle emissions, but other noxious emissions.

On the basis of these measures, we expect to see a fairly dramatic drop in emissions from transport over the next 10 years as older and dirtier vehicles are removed from the fleet. As I have said, these measures are especially important because of their significance during winter smog episodes. Emissions of sulphur dioxide and smoke from domestic households are controlled through the smoke control areas system, introduced in the Clean Air Act 1956. The Environmental Protection Act 1990 was also a landmark because it introduced integrated pollution control for 2,000 of the most polluting processes and subjected a large number of other processes to local authority air pollution control systems. That will make a further substantial contribution to reducing emissions of particles, as will bringing integrated pollution control to bear on large combustion plant for generating electricity.

Those measures will all contribute to reducing emissions, as will the encouragement that the Government have given through fiscal measures on road fuel duties. My hon. Friend the Member for Macclesfield made a most important speech about that matter. Although I cannot speak with full authority on the subject, my hon. Friend will have drawn inferences from the changes which were made in last year's Budget.

Service Children (Boarding Allowance)

11 am

Mr. David Jamieson (Plymouth, Devonport): I am pleased to have secured this debate and that you should be chairing it, Madam Deputy Speaker, as I know of your personal interest in the welfare of service families. This is an opportunity to discuss several important matters—in particular, service children's education. I have raised some of the matters which I intend to raise today in previous Navy debates. I have done so because they are important to Devonport, where many service families live.

Previous defence debates have properly centred on issues of hardware, equipment, security and jobs. Unfortunately, at the end of our last Navy debate, because so many matters of such great importance were raised and due to the exigencies of time, the Minister had to gloss over his response to my remarks about the welfare of service families. Today is an excellent opportunity for him to give a fuller response. I know that, with his usual good humour and his expert knowledge, he will be very much welcomed in the debate today.

The care of service families and, in particular, their children is essential to front-line efficiency and effectiveness. It is essential for service parents, in order to have peace of mind, to know that their children are in good hands. Service families are in a special position. Not only do service men and women risk their life in the service of their country but they often sacrifice personal freedoms that are enjoyed by civilians. Service families may be required to move frequently and their family life and children's education may be disrupted.

Some children go with their parents on postings abroad. The Service Children's Education Authority runs excellent comprehensive schools in mainland Europe which are attended by service children. I am told that the standard of those schools compares with that of the very best schools in Britain. I warmly congratulate the authority on its work in operating the schools and I congratulate the teachers and the other people who run them.

However, some families choose to have their children stay in Britain and take advantage of the boarding school education that is available here. I am aware that the Bett report will review that entitlement and, in particular, whether families located in one place and unlikely to move ought to continue to receive the allowance. I believe that that review should proceed in the fullness of time.

The Ministry of Defence provides the boarding school allowance to meet the fees of children who attend boarding schools in Britain. Service parents have to pay at least 10 per cent. of the cost of sending their child to the boarding school. The scheme is overseen by the Service Children's Education Authority, which gives advice to parents on boarding education and produces the admissible schools list. Last year, there were 815 schools on that list, of which 663 had pupils from the BSA scheme.

In 1994-95, a total of 11,363 service children benefited from the scheme, at a considerable cost to the taxpayer. The cost for that year was £107 million. That is almost twice the funding that one would expect to be provided for day places in local education authority schools. The cost of a day place in an independent school is £3,500 to

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£4,000 per annum. An LEA school receives between £2,000 and £2,500 a year. The boarding part of the fee usually doubles the cost of the child's education. So the lowest cost for a child to receive boarding education under the scheme is probably about £7,500 per year.

In today's debate I wish to concentrate minds on the operation of the boarding school allowance, especially on the role of the Service Children's Education Authority. I shall show that deregulation is causing potential risk to the learning and general welfare of children. I support the BSA scheme. The debate is not about whether the scheme should exist; it is needed to provide continuity of education for service children when their parents are expected to move around the country or the world. However, the scheme in its present form tends to favour the higher ranks. Anyone can see that 10 per cent. of the fee is a greater proportion of a sergeant's pay than of a major's pay.

More could be made of the local education authority boarding schools. The Service Children's Education Authority recognises that they are as good as or, in some cases, better than other schools. In its advice to parents, it says of the LEA boarding schools:

"these schools are often able to provide better facilities and a wider curriculum than many independent schools."

Mr. Andrew Robathan (Blaby): The hon. Gentleman says that the scheme favours higher ranks. If he looks at it differently, he will note that it favours people who tend to be over 40 who have children of school age. Most of the more junior ranks will leave the services earlier. The hon. Gentleman will discover that most people serve approximately five or seven years in the armed forces and leave before they are even 30. A full career for a non-commissioned officer takes him to the age of 40 and officers go on further than that. That is a pertinent reason why the scheme favours higher ranks.

Mr. Jamieson: I accept the hon. Gentleman's argument. I do not want to go into the matter for too long, but if one takes two people in exactly the same circumstances serving for the same period, the person of a junior rank is at a disadvantage under the scheme compared with the person of a senior rank on higher pay. Obviously, the pay of a sergeant who may have children in school is less than a major's pay and 10 per cent. of the fee is a considerably greater proportion of his pay. That is the point that I am making, but I fully accept what the hon. Gentleman says: people who serve longer in the services will benefit more from the scheme.

Many local education authority boarding schools are better than and all of them are cheaper than the independent schools. I wish to know from the Minister why they are not included on the admissible schools list. Why do parents have to send for a separate list of the LEA boarding schools? Why are they not put on the list so that parents can see them? Why are some schools on the list in the first place? Why are they not excluded? The Service Children's Education Authority gave the following advice to parents in relation to all-age integrated independent schools:

"Nevertheless, there are some, and especially some of the least expensive, that may be said to fall short of really satisfactory provision. Parents must take care and seek good advice."

The advice continues:

"You will be particularly wise to take advice when considering schools in this area of the market."

The Service Children's Education Authority is putting a health warning on some of the schools that it has on its list. I ask the Minister: why are the schools on the list if the SCEA feels the obligation to give a health warning about their quality? Why are the boarding schools in the LEA system not on the list when the SCEA says that many of them provide a much better education at a lower cost? Today's debate is not about the principle of the scheme—which I support—but about its operation and the quality of advice to parents. Today's debate is not about the principle of private education—it is not an attack on private or independent schools.

I recognise that many independent schools are excellent and that the majority are at least satisfactory, if not good. One could argue that they should be giving a good education because, in most cases, they are funded at a much higher level than local education authority schools. However, I am concerned about those schools that are falling below the standard that they should achieve. Evelyn Waugh described independent schools with acerbic accuracy in "Decline and Fall" when he said:

"We class schools into four grades: Leading School, First-Rate School, Good School, and School. Frankly, School is pretty bad."

The SCEA should closely examine some of the schools that Evelyn Waugh would class as "school". What are the issues for the schools in the boarding school allowance scheme? First, what checks are made on academic standards in the schools? Secondly, is the taxpayer getting full value for money from the £107 million spent in the schools? Thirdly, is there a threat to the value and existence of the reports on boarding schools from social services departments? Finally, does the Service Children's Education Authority need to revise its role, its practices and its advice to parents?

I refer to academic achievement. For many decades, Her Majesty's inspectors of schools have had the role of inspecting the quality of schools. Since 1993, the Office for Standards in Education has taken over that role. Among other things, it looks at the quality of teaching, academic standards achieved and the value for money that the school gives. When Ofsted was set up, it was the intention that local education authority schools would be inspected every four years and that independent schools would be inspected every seven years.

I shall contrast what happens with an inspection in a local education authority school with an inspection in an independent school. If an LEA school has an inspection, there has to be a pre-meeting with the head, the governors and the parents. When the inspection is completed, a summary of the report has to be sent to all parents in the school. The parents are also informed where they can get hold of the full report on the school should they wish to see it, which is usually within the school and provided free of charge. The report is also made public. Therefore, it is available for the wider community to look at and, if necessary, for comment in the press. I have no objection to that procedure.

When deficiencies are found in the school, an action plan has to be drawn up, where appropriate, which is overseen by the LEA and the inspectors may have a role in coming back at some future time. In extreme cases, where a school is deemed to be failing or to be

substantially substandard, an education association can be sent into the school and it can be made grant maintained or, in extreme circumstances, it can close. As hon. Members know, that has already happened to the Hackney Downs school in London.

I contrast that approach with that of the independent schools. There is a dwindling number of reports on the independent schools. In the past two weeks, I have received a letter from the chief executive of Ofsted. He said that in 1993-94, there were 19 inspections of independent schools; in 1994-95, there were 13; in 1995-96, there were just nine; and in 1996-97, up to three schools will be inspected in the independent sector—none, one, two or three schools may be inspected. I have concluded that Ofsted is going to cease inspecting independent schools.

I have seen some of the inspections that have been made on independent schools and they show the same wide spectrum of achievement that one sees in local education authority schools and in grant-maintained schools. Some of the reports on the schools are excellent, most are good or satisfactory, but some are poor. If they were LEA schools, they would be deemed to be failing schools. Such a school has no obligation to show the report to parents. On 17 February 1994, I received a letter from the then Under-Secretary of State for Schools who referred to Ofsted reports on independent schools as follows:

"Any such school which is the subject of a published report is supplied with copies of it which it can distribute as it sees fit."

He then said:

"The onus is on the school to distribute the report to interested parties or to advise them where the reports can be obtained."

Many of the smaller independent schools, private schools, have no governors—there is just a proprietor and a head, and in some cases the proprietor is the head. I refer to meetings to discuss what is in the report and to what Ofsted said in its document "Inspecting Independent Schools":

"It is for the proprietor and/or governors to decide who else shall attend the meeting."

The inspectors are not obligated to call parents or anyone else into the meetings to discuss the report, other than the proprietor—who can choose who he informs.

Last year, Finborough school in Suffolk had 123 pupils from the boarding school allowance scheme. The head of the school wrote to the parents in 1994 regarding an Ofsted inspection that he had had the previous year. He wrote to parents—one of whom is my constituent—as follows:

"We have not obtained copies of the Report for parents because",

and he then listed a number of reasons, one of which was:

"we were extremely unhappy about the way it was carried out and what we believe are serious statistical misrepresentations of the evidence of teaching standards."

He rejected the report because it was critical of his school, of which he is the principal and proprietor, and from which—I dare say—he receives profits. If he had been a local education authority head teacher, he would have been committing an offence by not providing the report to parents.

The message is very simple: if an independent school has had an Ofsted report and it does not like it, it can commit the report to a dusty shelf or to the bin. I am pleased that, in the case of Finborough school and one other school, as a result of pressure from me and my writing to the Minister, the report was sent by the Service Children's Education Authority to service families of children at the schools who were receiving funds through the boarding school allowance scheme.

Mr. Nick Hawkins (Blackpool, South): The hon. Gentleman will acknowledge that head teachers in the local education authority sector write to parents rejecting the result of Ofsted inspections. That happened in my constituency recently. What he describes is not by any means restricted to independent schools.

Mr. Jamieson: Head teachers or governors can write to parents disagreeing with reports; it is their right to do so. I do not say that the head teacher did not have the right to put his view, but it is not right that the head teacher of an independent school can block parents from seeing a report or even knowing of its existence, as in this case. At an LEA school, the head teachers and governors are obliged by law to give all parents a summary of the report and make sure that the full report is available in the school. I am sure that the hon. Gentleman, on reflection, would agree that, if that is right for LEA schools, it must be right for independent schools, and especially for those schools that receive substantial sums of taxpayers' money—£107 million altogether—through the scheme.

Mr. Hawkins: The hon. Gentleman described a head teacher who wrote to parents to tell them that there had been an Ofsted report. It is possible for parents to write to Ofsted, as I did in my constituency, to get a copy. They were made aware that there had been an Ofsted inspection and could have got the report themselves.

Mr. Jamieson: I do not want to get too engaged by this, but a local education school has an obligation under the law to provide a summary, and to provide the full report in the school, to the parents. Many parents, including my constituent, did not know of the existence of the report or inspection until I pointed out that the inspection had taken place. Eventually, under pressure, the Service Children's Education Authority sent my constituent a copy of the report. When he read it—and, by then, it was nearly a year out of date—he wished that he had taken his children out of the school earlier than he had. We need the same rules for both sorts of school. I am sure that the hon. Gentleman agrees with that.

Ofsted is no longer able to safeguard academic standards, because no inspections will take place. It performs a short registration inspection every five years but says that three inspections at most will take place next year. On that basis, we have moved from one inspection every seven years to one every 700 years as there are now 2,294 independent schools. We need full inspections of independent schools, especially of those that benefit from substantial sums of taxpayers' money and reports, as with local education authority schools, should be sent to interested parents.

My second concern involves boarding and pastoral arrangements. That is especially important because children in boarding schools are, by definition, detached from their parents. Often, service children's parents are not even in the same country but are a long way away.

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We need police checks on the people employed in the schools and we must ensure that the conditions of the Children Act 1989 are properly discharged.

in the late 1980s, there was much justified concern about several schools. I shall briefly refer to some of those concerns. In May 1989, there was the case of Crookham Court school near Newbury. The then Member of Parliament demanded an inquiry but was told by the then Department of Education and Science that it was "powerless to act". The school was described as "dirty and depressing". It had safety hazards and unsatisfactory teaching standards, but there was much worse to come. The head teacher and a member of staff were convicted of serious sexual offences against boys at the school. Those boys were mainly from service families. The significance of that case is that the school was closed not by action taken by the Ministry of Defence but because of publicity given to the school by Esther Rantzen in her "That's Life" programme. It was closed not because of action taken by inspectors, Government Departments or the MOD but because the media took the matter up.

That was not an isolated instance. There was the case in 1982 of St. George's school at Great Finborough in Suffolk. The BBC's "Checkpoint" programme said:

"This remarkable establishment specialises in educating the children of servicemen, and by all accounts makes Dickens's *Dotheboys Hall* look like a holiday camp."

A former games master at the school

"was one of a number of ex-staff who told *Checkpoint* about repression, brutality and more . . . Ninety-five per cent of the 250-odd boarding pupils are children of servicemen".

Very much worse was revealed by "Checkpoint" about serious abuse of children. Those facts were revealed not by the DES or the MOD but by the media. That school did not close; it carried on trading and I believe that it is still open under very different management and a different name.

My last example is the 1990 Her Majesty's inspectorate report on the Hilsea school in Basingstoke. The report was disastrous in every respect. It uncovered poor teaching, unsafe buildings and hopelessly out-of-date teaching methods and said that 92 per cent. of the children were from armed forces families. That school did not close in 1990; it carried on despite the report. It closed in 1992 only because of declining pupil numbers, yet it was supported almost solely by the taxpayer right to the very end. Had it been an LEA school, it would have been deemed to be failing and would probably have been closed.

For balance, there are some excellent schools. I have chosen an independent school that was established and run by the MOD—the Duke of York Royal Military school, Dover. The inspectors reported on it in February 1991 and said:

"This is a good school with high standards of work and behaviour, excellent care, sound teaching, generous resources, spacious premises and generally good accommodation. It is clear that the school achieves the aims as set out in its prospectus."

Oh that all the schools were as good as that one.

Partly as a response to concern about the inadequacy of certain schools, section 87 of the Children Act 1989 created a duty for the social services departments of local authorities to inspect the boarding and pastoral arrangements of such schools. I have seen some of those reports. They are very thorough and exacting. They check hygiene, dormitories and whether there are unnatural punishments or abuse. However, I well recall considering in the small hours of one morning a clause of the Deregulation and Contracting Out Bill which gave independent schools the right to choose their own inspectors and, if they wished, to dispense with local authority social services departments, which would probably know schools and their past records well. Most independent schools are continuing with local authority social service department reports, but is this not yet another opportunity for a bad school to opt out of inspection that may be critical?

Many independent schools belong to independent schools organisations and some internal reporting goes on between schools. Sometimes that leads to schools inspecting each other. Last year, CfBT produced a report called "Ofsted and Onward". CfBT is one of the leading private companies in the inspection field and has been much praised for its work. Mike Douse, one of its inspectors, talked of mutual inspection and said:

"To take one extreme and hopefully non-representative case, the Report on one non-government school . . . the only definite criticisms applying to the lack of facilities (including one major safety issue) and the need to 'strive for a more adventurous approach to work'."

That is what one school said about the other. He continued:

"But, in reality, this Independent institution is—if the term has meaning—a 'failing school'. Its fees are high and its pupils drawn from wealthy (albeit often broken) families, the sons and daughters of military officers, British expatriates, and successful businessmen."

This school must still be on the admissible schools list, yet he continues:

"Very many of its pupils fail to gain entry to the public schools of even their second—or third—choice; several teachers are incapable of keeping order, let alone organising and encouraging learning; bullying and other forms of unacceptable behaviour are rampant; and 'value for money' is a cheerless joke."

If the SCEA can find out which school it is, it ought to review whether it should continue on the list, receiving substantial sums of taxpayers' money.

Can we also check on how the money is spent in independent schools and on the level of profit being made by the proprietor? I repeat that some are not charitable foundations. They have a sole proprietor and are run as a business and a limited company. For many of the independent schools on the boarding school allowance, a substantial part, if not most, of their funding comes from the taxpayer through the scheme. We might want to look through the company accounts to find out how money is being spent, but if a company's turnover is less than £2.8 million a year, there is no obligation to publish full accounts. The company can publish abbreviated accounts, which are totally unhelpful if one wants to find out how the money is spent.

In contrast, governors, head teachers, the local education authority and parents can all see the budgets of local education schools that are spending taxpayers' money and see how the money is spent. If a parent wants to see the budget and how money is being allocated, it can be done at any time through the head teacher or the

governing body. Yet no one has the right or duty to check how taxpayers' money is being spent in independent schools.

Mr. Hawkins: Surely the hon. Gentleman must acknowledge that all the matters that he has discussed in connection with local education authorities, such as the rights of parents and of governors, are the results of our educational reforms of recent years—reforms that the Labour party opposed, tooth and nail, at every turn.

Mr. Jamieson: In that case, I would expect the hon. Gentleman to agree that those reforms ought also to extend to the independent schools that are receiving substantial sums of taxpayers' money. If he speaks later in the debate, I will be interested to hear him confirm that that is his view.

What is the role of the SCEA, which acts on behalf of the Ministry of Defence? It seems to do little more than administer the system and distribute the fund. It has no right of entry to independent schools and the Minister of State for the Armed Forces confirmed that in a written answer on 2 April, when he said:

"SCEA staff visit independent schools by invitation to assess pastoral care arrangements for service children; they have no statutory right of access. Visit reports are therefore written on the understanding that they remain for internal use only."—[*Official Report*, 2 April 1996; Vol. 275, c. *103*.]

The SCEA does not have the right of access and parents do not have the right to see what reports are written.

To protect the academic and pastoral concerns of pupils action needs to be taken. The SCEA needs to be far more robust. If schools are to go on the admissible schools list and receive substantial amounts of public funds, the SCEA should draw up a contract for them and they should agree in it that its inspectors have the right to go into the school and look at the pastoral arrangements.

The SCEA must ensure that it sees a school's full audited accounts, so that it can find out how the money is being spent. If a school is not prepared to undergo such inspections, fair enough—it is a private company—but strike it off the list and deny it taxpayers' money. Also, the SCEA should make all information on an independent school available to parents and potential parents.

Schools that have a low academic performance or where there are other concerns should be taken off the admissible schools list. In a recent answer about the Quantock school in Somerset, the Minister said that his inspectors had visited the school and found it suitable to remain on the list. I must draw to his attention the fact that the Independent Schools Association Inc.—the trade organisation—has terminated the membership of that school. I am sure the SCEA and the Minister would want to look into that and find out why. It is extremely unusual for that to happen, and there must be good reasons.

Much more stringent checks must be made on the schools that go on the admissible schools list. Two years ago, the Minister with responsibility for schools told me in a letter:

"As far as participation in the Government's Assisted Places Scheme is concerned, all 295 schools have had to satisfy a very stringent criteria for admission and must be able to demonstrate the highest academic achievements."

I want those criteria to be applied to schools on the admissible schools list. If they are right for assisted places schools, they must be right for the children of service families who attend independent schools.

The Minister should consider the matter carefully and advise the Department for Education and Employment that there is a need for full Ofsted inspections of all independent schools, particularly those in schemes in which they benefit from taxpayers' money and, most important, all those on the admissible schools list. That can be done readily and easily.

The Minister ought to instruct the SCEA to put those local education authority boarding schools on the admissible schools list, particularly when it admits that they are often much better than the independent schools that are on the list already.

I have raised some important matters today, with which the Minister will want to deal with his usual care. The welfare of children and the quality of their education are of paramount importance. Independent schools operate in a wholly deregulated environment. There is virtually no reporting by Ofsted. The SCEA has no statutory obligation to inspect. There are no accounts for public scrutiny, the reports of social services departments are deregulated and schools can choose their own inspectors.

We need to give parents the ability to distinguish between the majority of good independent schools and the minority of poor schools. As history has instructed us, a deregulated environment is one in which the unscrupulous can thrive, mediocrity can flourish and—in the extreme—paedophiles can go undetected.

11.38 am

Mr. Barry Porter (Wirral, South): On a point of order, Madam Deputy Speaker. It will not have escaped your notice that there are six hon. Members in the Chamber, four of whom have no choice in the matter—I am here only because a meeting was postponed for half an hour—and that five civil servants are present and being prevented from doing whatever they normally do in the Ministry of Defence on Wednesday mornings. That should be brought to the notice of the Select Committee on Procedure because I am afraid that it is not unique. I am in no way criticising the hon. Member for Plymouth, Devonport (Mr. Jamieson), who has brought up an important and worthy matter. Can I have your assurance, Madam Deputy Speaker, that it will be brought to the attention of that Committee? I hate to contemplate what on earth the general public who see our proceedings will think about it.

Madam Deputy Speaker (Dame Janet Fookes): The number of people in the Chamber and the use of people's time are not matters for me. If the hon. Member feels strongly about it, he should discuss it directly with the Procedure Committee, but I remind him that there were lengthy debates before we embarked on this arrangement for Wednesday mornings.

11.39 am

Mr. Paul Murphy (Torfaen): I very much take the point made by the hon. Member for Wirral, South (Mr. Porter) about the number of hon. Members in the Chamber for this debate, but I do not think that that number reflects the debate's importance, which is very great, as the hon. Gentleman said. As we were told by my hon. Friend the Member for Plymouth, Devonport (Mr. Jamieson), the boarding school allowance costs more than £100 million a year, which averages out at

[Mr. Paul Murphy]

about £9,000 per pupil involved in the scheme, and there are more than 11,000 pupils taking advantage of the allowance.

I think that it is important for the House to congratulate my hon. Friend the Member for Devonport on having the initiative to raise this issue today. He has of course been persistent in his inquiries over many months. He has been hard working and diligent in these matters, and his speech revealed that invaluable sense of responsibility, which is enviable. His speech was tightly and very carefully argued, and it reflected his deep personal interest in these matters.

Hon. Members should recognise that my hon. Friend the Member for Devonport represents—as you do, Madam Deputy Speaker—a very large number of military personnel, and that he has an impeccable educational background, having been a teacher for many years and, indeed, a senior vice principal at a school in Plymouth. He has emphasised the fact that he has no general problems with the principle of the allowance; I echo that belief. We are not debating whether there should be a boarding school allowance—we are debating the quality of education with which the boarding school allowance is linked.

My hon. Friend has rightly drawn the House's attention to some major concerns and highlighted, I believe, some very disturbing facts that I know the Minister will deal with in his reply.

There is no doubt that the system of inspection of private schools requires careful scrutiny and attention. My hon. Friend the Member for Devonport said in the final part of his speech that many independent schools are involved in the scheme that are of a very high character and in which a very good standard is achieved. But he has also said—the House should be troubled by this—that some schools involved in the scheme are, according to this week's article in *The Times Educational Supplement*, "dubious". When we bear in mind that £100 million of taxpayer's money has been used for the boarding school allowance, we must be very careful because the House is the guardian of the public purse.

Inspections of independent schools are generally too infrequent. Because of that lack of frequency, standards in those schools will inevitably be tested less frequently and will, therefore, be less reliable. My hon. Friend the Member for Devonport told me that the Service Children's Education Authority has no right of entry to the schools on its admissible lists, and I think that that practice is wrong. I believe that the fact that Ofsted will now hold inspections only every five years is equally wrong. The combination of those two practices inevitably brings into doubt the quality of education provided by those schools to children of service personnel.

Schools that belong to the Headmasters' Conference are self-regulatory to a very large extent, of course, which we accept. But not all schools on the list belong to the Headmasters' Conference, and it was to those schools that my hon. Friend the Member for Devonport addressed his remarks.

The Minister will no doubt refer to the Bett report, although I believe that we will have a thorough debate on it later this year. That report mentions boarding school allowances and suggests that the payment rate mechanism is poor. The report states:

> "We suggest that the new system would be simpler to administer, and less open to any criticism that the mechanism currently used encourages some parents to send their children to less than adequate schools."

The admissible schools' list unquestionably needs overhauling. My hon. Friend the Member for Devonport said that the assisted places scheme—which is another matter, but it is interesting to compare the schemes—has a carefully created list for parents who want their children to take advantage of it. He also referred to state boarding schools. For the life of me, I cannot understand why state boarding schools which the Ministry of Defence believes offer high quality education should not be on the same list.

The Bett report refers to a need "for tighter quality control". Paragraph 18 of the report says:

> "We feel strongly that there should be tighter 'quality control' as far as MOD money spent on boarding schools is concerned, not least so that Service children can be certain of receiving, as far as is possible, a good standard of education. The approved list of boarding schools maintained by the MOD does not constitute any reliable certification of quality since SCEA does not inspect independent schools, and schools are almost never removed from the list. The only requirement for inclusion on the list is of being registered with the Department for Education (DFE). On the other hand, we note that SCEA schools, like all schools in the maintained sector, are subject to the same four yearly inspection by OFSTED. We believe that for a school to be included on the MOD approved list it should be subject either to this OFSTED inspection regime or to an alternative, equivalent inspection regime recognised as such by the MOD and the DFE. There should also be a clear procedure for removal from the approved list in the event of unsatisfactory reports from the Inspectors."

I believe that that final point is crucial.

In general, the Labour party is very much of the view that the schools on which the Ministry of Defence spends £100 million should be much more carefully and tightly inspected. In general, Labour also agrees with the recent personnel policy guidelines, which states:

> "We aim to ensure . . . that allowances enable service personnel to undertake the duties required of them without incurring unreasonable personal costs, taking into account conditions prevailing in civilian life."

The House will also be aware that the numbers of boarders in this country has declined in the past 10 or 20 years by 10,000 or 20,000 and that, although 25 per cent. of our Army is still in Germany, the number of armed service personnel who can look forward to a more stable family existence is likely to increase. The consequence of those two trends means that, for parents in the MOD, the need for boarding schools is likely to be a less significant factor. It was also interesting that a survey undertaken by those involved with the Bett report showed that only one half of parents in the armed services with children at boarding schools would have chosen boarding schools as their first choice. That statistic also demonstrates the likely change in society in the next few years.

The Bett report proposes changes not only to school inspection and quality control but to the payment system and to eligibility. The report says that there are too many exemption clauses, allowing the boarding school allowance to be used when it is unnecessary and costly. I think that there is a very strong case for examining those exemption clauses and for doing away with many of them because, in certain circumstances, the boarding school allowance is unnecessary and, therefore, a waste of taxpayers' money.

We believe that, as the Bett report says, the rules should be tightened so that only those families that are genuinely mobile are eligible for the scheme.

My hon. Friend the Member for Devonport also spoke about the need for advice, which I think is crucial. I really wonder whether the advice to parents that is given verbally is good enough. I think that that advice should be given at unit level so far as is practicable and not simply by circulars being sent to parents who are considering taking advantage of the scheme.

Mr. Keith Mans (Wyre): I apologise for not being in the Chamber at the beginning of the hon. Gentleman's speech, but I was in the Defence Select Committee. Will the hon. Gentleman tell the House whether the Labour party will retain this allowance or whether—because of what he has already said in this debate—the Labour party's intention is to phase it out slowly or to make it more restrictive?

Mr. Murphy: As the hon. Gentleman said, he was not present when I began my speech. I made it clear that we do not disagree with the principle of the boarding school allowance and that it will continue under a Labour Government. We are saying that the recommendations of the Bett report, which has yet to be debated in the House but which, in this connection, seems to be highly sensible, are such that the Labour party could approve them.

My hon. Friend the Member for Devonport has rendered considerable service to parents in the Army, Navy and Air Force by bringing this important matter to the attention not only of the House but of the country. I am sure that the Minister of State will be able to deal with the various points raised in this interesting debate.

11.50 am

The Minister of State for the Armed Forces (Mr. Nicholas Soames): I congratulate the hon. Member for Plymouth, Devonport (Mr. Jamieson) on securing this Adjournment debate on what is clearly an extremely important issue. He made a measured and balanced speech until perhaps the final sentence when he said that deregulation led to mediocrity and, as I understood it, to what my late lamented friend Geoffrey Dickens used to call "phaedopiles". My experience is to look at deregulation the other way around. Clearly, there will be casualties in deregulation as in any aspect of life, whether in the public or private sector, but deregulation has, by and large, led to a great expansion of enterprise, competition and excellence. The hon. Gentleman unbalanced what had been an admirable speech by a rather foolish conclusion.

The House should be aware that the hon. Gentleman's interest in defence—he represents an area with such a distinguished history of loyal and dedicated service—is matched by the fact that, as a former teacher, he has a long-expressed interest in education standards in the independent sector and, correctly in my view—I applaud him for it—in the need to ensure that the Ministry of Defence gets the value for money that it should for the £107 million that it spends annually on the boarding school allowance. The hon. Gentleman has raised the matter on the Floor of the House a number of times and in written questions to me. He is therefore well qualified to raise the matter again this morning.

As Minister of State for the Armed Forces, responsible for the welfare and deployment of service men and women and for almost every other aspect of their lives, I share the hon. Gentleman's concern that this particular aspect of their lives should be satisfactory. I am therefore glad of the opportunity to respond to the points that he raised. "Allegations" is the wrong word—let us say that the hon. Gentleman raised a number of points about various schools. I shall be writing to him in detail about them as I do not have the necessary facts to answer them, especially his final point relating to a school which, I understand, has left the trade association. I shall have that investigated at once, and I am grateful to him for letting me know about it. I shall write to him about the specific matters that he raised with which I am unable to deal now.

The hon. Gentleman made a number of extremely interesting points, and I listened with great care to what he had to say. I found much of what he said persuasive and I understand his genuine concern, which we share in every aspect of defence business, to ensure not only that the Ministry of Defence achieves best value for taxpayers' money but, just as important, that service children receive the best possible education.

I pay tribute to the work of service schools, which are splendid. Indeed, in my discussions with officials this morning while being briefed for this debate, it was said that many of the schools are excellent. I know from my own experience of visiting units all over the world that service men and women greatly value the education that their children receive. I also pay tribute to all the teachers and administrators who do so much to provide such an admirable service for the children of our service men and women.

I assure the hon. Gentleman and others that my Department shares the hon. Gentleman's aims—indeed, it would be like condemning motherhood and apple pie not to do so. The hon. Gentleman raised some important issues that need further investigation. I shall be in touch with him about them and would like him to come to see me to talk about them.

Although we are committed to devoting as much as possible to the business of the front line, we are of course mindful of our wider responsibilities. Although the provision of the boarding school allowance in these times of reduced defence budgets may seem odd to people who do not understand the principle, the scheme is soundly based. I acknowledge that what the hon. Gentleman and the hon. Member for Torfaen (Mr. Murphy) said was not a criticism of the boarding school allowance per se but of the way in which it is handled.

The policy is soundly based. Not everyone realises how important such an allowance is to the otherwise turbulent side of family life for service men and women. It may be helpful, therefore, if I set out for the benefit of the House a little of the background to the issues raised today.

I am sure that we all agree that our highly trained and professional men and women are the armed forces' greatest asset and that it is essential that we look after their interests, not only to ensure that morale remains high, although that is critical, but because we are more likely to retain these admirable people in the forces if they feel that their needs and those of their families are properly met and fettled.

Service life places incomparable pressures on the family. Too few civilians—those who have never had any connection with the forces—understand that service men

[Mr. Nicholas Soames]

and women are not the same as civilians. Service personnel may be invited to make the ultimate sacrifice. They are not ordinary people, and I take this opportunity to pay my own very warm tribute to the families of all personnel in the armed forces. Without their support and tolerance, undoubtedly our armed forces would not function so effectively. The understanding and support that service wives give to their husbands, and vice versa, is crucial to the effectiveness of our forces. However, we cannot and will not take, and never have taken, that support for granted.

The welfare of one's family is one of the most important motivations in seeking any career. The services are clearly no exception—indeed, they are a shining example. Given the pressures that service families so often face, it is even more important to ensure that service personnel are confident that the welfare of their families is guaranteed. By doing that, we achieve value for money as we retain important people with specialised expertise in whom we have invested valuable training resources and who have such exceptional experience to give to the service of their Queen and country.

The provision of the boarding school allowance is one of the ways in which the needs of our service personnel are met. The allowance is available to service parents of all ranks to provide a stable education for their children in the face of the turbulence that is often a feature of service life. Service personnel who follow the flag and move their families wherever they are required to serve are eligible to receive it. Many of the service people most affected by turbulence are high achievers. Therefore, although the boarding school allowance is a cost to the Department, it is an extremely important tool in helping to persuade highly trained and vital service personnel to stay in the forces—something that we are very conscious of the need to do better across the board.

Because of your interest in defence, Madam Deputy Speaker, you are aware that service personnel and their families can be posted to various parts of the United Kingdom and overseas. Some of these postings are to isolated locations where adequate educational facilities are sometimes simply not available. Postings often occur at highly irregular intervals and sometimes at very short notice—such is the lot of service families. Depending on the service, postings last on average for two years. That could result in frequent and disruptive school change for children required to accompany their parents.

The availability of the boarding school allowance allows personnel of all ranks who suffer such turbulence the opportunity, if they so wish, to maintain their children in boarding schools. Children thus spend a substantial time at one school, which provides the continuity that is so important in education and which would otherwise be missing.

Boarding education is confined mainly to the independent sector, as only a small number of schools in the state sector offer boarding facilities. The provision of assistance with the fees enables service personnel to provide their children with the continuity offered by a boarding education. The boarding school allowance is not an education subsidy to allow service personnel access to a superior education—many state schools provide an education that is every bit as good as that provided by schools in the independent sector—but a contribution towards the average cost of a boarding education.

Mr. Jamieson: Does the Minister accept that local education authority boarding schools that are deemed to be excellent should be included on the admissible schools list, and that listed independent schools that are found to have shortcomings should be removed from it?

Mr. Soames: I do not agree with that proposition. The hon. Gentleman has raised a number of very important points this morning. I shall consider his comments and perhaps he and I can discuss them officially after I have raised them with the Department for Education and Employment.

Those who wish their children to attend the more expensive boarding schools will have to pay a substantial proportion of the fees. The maximum rate of boarding school allowance that may be claimed is set at 75 per cent. of the average fees of all those schools attended by at least 30 children of service personnel. The rate is currently £1,883 per term for children at junior schools and £2,248 per term for children at senior schools. Parents are required to contribute a minimum of 10 per cent. of the school fees, although a large number pay considerably more than that. The average level of school fees in the independent sector is £3,415 per term according to the independent schools information service. Service parents who send their children to an "average" school must therefore find £1,200 out of their own pockets for each child, each term.

As with parents everywhere, service parents are responsible for selecting an appropriate school to suit the needs of their children. In order to find the right school, some parents will seek to stabilise their families in an area of their choice and serve unaccompanied when required to do so. Some elect to move their children around with them, and most children cope successfully with several changes of school. I find that amazing and I am always impressed by how well such children manage.

However, frequent changes of school may be harmful to children's education. Some have little alternative but to attend boarding school. That group is relatively small: of a service population of some 231,000, only about 7,500—about 3.2 per cent.—claim boarding school allowance. As the hon. Member for Torfaen (Mr. Murphy) pointed out, that number has reduced by more than 30 per cent. in the past five years as a result not only of draw-down in the armed forces but of control measures put in place to restrict the allowance to those who are genuinely affected by turbulence.

The hon. Member for Devonport is concerned that some parents elect to send their children to schools that do not perform well academically or that have been criticised in other areas. The Ministry of Defence has no statutory authority to control the educational standards of schools attended by children whose parents are in receipt of boarding school allowance—that responsibility rests with the Department for Education and Employment. However, the Ministry of Defence is keen to ensure that parents receive good advice about their selection of schools.

The Service Children's Education Agency—a new agency established on 1 April this year—has assumed the responsibility previously exercised by the Service

Children's Education Authority to provide general education advice to parents. In order to achieve that aim, it will continue to maintain close links with DFEE, OFSTED and other relevant professional bodies. It will also visit schools attended by a large number of children of service personnel, or when concerns are expressed about a school, in order to monitor the quality of accommodation and of pastoral care.

The Ministry of Defence maintains a list of schools for which parents may claim boarding school allowance. A copy of that list is kept in the Library. Prior to 1 April this year, the Service Children's Education Authority was responsible for checking that each school maintained adequate control over boarding facilities and met certain other basic criteria—including registration with the DFEE—before it was placed on the admissible schools list. That responsibility now rests with the Service Children's Education Agency.

Schools must be registered with the DFEE in accordance with the Education Act 1994 and must attain, and maintain, an acceptable standard of education as required by that Department. Before initial registration, a school is inspected by one of Her Majesty's inspectors and standards are monitored subsequently through "light touch" inspections carried out by the Office for Standards in Education, examining standards of achievement, teaching, learning and welfare. It is intended that those inspections be carried out every five years approximately, or more often when a school gives cause for concern. I shall discuss the hon. Gentleman's points on that subject with the Department for Education and Employment.

When standards are considered to be unsatisfactory in respect of unsuitable or inadequate accommodation, a failure to provide efficient and suitable education, or the existence of an unsuitable proprietor or teacher, the Secretary of State for Education and Employment issues a notice of complaint. That gives the school a specified period—usually six months—in which to improve in those areas where it was considered to be failing. If the school fails to comply within the notice period, it will be struck off the register and compelled to close, at which time it would no longer be eligible to remain on the Ministry of Defence list of admissible schools. When Ofsted reports are published about particular schools, the Service Children's Education Agency ensures that they are made available to parents with children at those schools. I noted the hon. Gentleman's point about reports and I shall consider that matter.

As to the question of the distribution of funds, the Service Children's Education Agency does not distribute funds to schools. Boarding school allowance is paid to service personnel to allow them to choose the most appropriate school for their children. The agency makes as much information as possible available to parents in order to help to inform their choice. We are constantly looking for ways of improving the quality of the information that we provide, and some of the hon. Gentleman's points are worthy of consideration in that regard.

The independent review—mentioned by the hon. Member for Torfaen—of the armed forces manpower, career and remuneration structures conducted recently by Sir Michael Bett was tasked with making recommendations to adapt those structures to the foreseeable needs of the next century. Its work on remuneration structures included an examination of all allowances paid to service personnel, paying particular attention to those factors of service life that created a need for them.

It concluded that, because of the unusually high level of mobility in the services—particularly in the Army—there is a continuing need to ensure that service personnel have the opportunity to provide their children with continuity of education through a boarding education. The provision of proper education for children is clearly a strong imperative for all parents, and the independent review concluded that it may not be possible for the services to retain personnel who feel unable to meet their aspirations in that regard.

Bett recognised that there is a continuing need for a form of boarding school allowance. The review made a number of recommendations to target the overall education allowance package better in order to ensure that only those with a genuine liability to move are entitled to benefit. The recommendations are being examined, together with all of the independent review's other recommendations, and I shall announce the results of the study later this year. Following a meeting this morning, I am pleased to report to the House that the work is going extremely well.

One factor that clearly influences the future cost of the boarding school allowance is the extent to which we are able to offer stability to service personnel and to their families. That will depend largely upon the operational demands that are placed on the individual services in the future.

The hon. Member for Devonport is right to raise those issues in circumstances where public funds are involved. As the hon. Member for Torfaen said, the hon. Gentleman has been extremely diligent in pursuing the matter in the past few years and I am grateful for his interest. As a former teacher, he will be well aware of the importance of maintaining and improving educational standards. The Government and the Ministry of Defence are committed to achieving the highest possible standards in education.

While the Ministry of Defence has no statutory power to regulate schools in the independent sector, I am grateful to the hon. Gentleman for bringing his concerns to my attention on the Floor of the House. I shall pass them on to my right hon. Friend the Secretary of State for Education and Employment and, having discussed them, I shall be happy to meet the hon. Gentleman, should he so desire, to explore the matters in greater detail.

The hon. Gentleman has raised important matters touching upon the welfare and morale of service men and women who are posted all over the world and I have no doubt that we shall have further discussions in future. I am grateful to him for raising the matter. We have had a thoroughly worthwhile and useful debate.

European Civil Air Transport

12.9 pm

Mr. John Wilkinson (Ruislip–Northwood): I am grateful for the opportunity to open a debate on competition in European civil air transport. For months, indeed years, I have sought such a debate in Government time as the Government's policy of civil air transport liberalisation has been a great success story for the travelling public, the airlines, airline-related industries and the British economy, through the creation of employment and the healthy, positive contribution that British airlines make to the United Kingdom balance of payments.

Although a parliamentary pas de deux with my hon. Friend the Minister for Transport in London is always entertaining, the subject merits wider parliamentary participation and a debate lasting longer than 30 minutes. It seems that good fortune is mine today as, with your indulgence, Mr. Deputy Speaker, we may have more than the expected time, but I see no other hon. Members wishing to join what is likely to be a pas de deux.

The transfer of British Airways into the private sector was one of the flagship privatisations of my noble Friend Lady Thatcher's first term of office. The restructuring of the airline without state aid from 1981 to 1983 under the inspired stewardship of that dynamic duo, Lord King and Sir Colin Marshall, set a standard for competitive achievement that is the envy of Europe and laid the foundation for British Airways' current position as a global force with strategic alliances in the Pacific basin through its stake in Qantas, in the Americas through its stake in US Air and in Europe through its stakes in TAT and Deutsche BA. It has also enjoyed a dominant pivotal position because of its primary location at Heathrow at the heart of Europe—if I may use that phrase. Heathrow is the world's premier international airport and the principal gateway to our continent from north America. British Airways notably survived the past air transport recession profitably when other private sector airlines were going under and a number of state carriers were sustained by national subsidies.

There are, of course, other striking British air transport success stories. If I name but a few, I am seeking not to be invidious but only to avoid taking up too much time. British Midland, whose competitive achievements in domestic scheduled services and in opening up European routes with affordable fares while providing a high-quality service, has been a remarkable success. Virgin Atlantic is clearly a highly original and enterprising airline, unafraid to take on the big boys, including British Airways. Air UK's development of services out of Stansted has been successful and has been thoroughly beneficial to that airport. The inclusive tour and charter sector is also vigorous in Britain, with carriers such as Britannia and Monarch.

Britain is in the vanguard of air transport liberalisation in Europe but is subject to state subsidised competition from nationalised continental carriers. That is in gross breach of the spirit, if not the technical letter, of the treaty of Rome. It is also an affront to the single integrated European market which, for most British people, is the principal purpose of the United Kingdom's participation in the European Union.

Subsidies to airlines take various forms, including operational grants, direct subsidies and indirect financial assistance. Examples include capital injections, debt write-offs, fare subsidies and favourable tax treatments as well as less visible forms of state support which none the less favour national flag carrying airlines.

Under article 92 of the treaty of Rome

"any aid granted by a Member State or through state resources in any form whatsoever which distorts or threatens to distort competition by favouring certain undertakings or the production of certain goods, shall, insofar as it affects trade between Member States, be incompatible with the common market."

In some circumstances, state aid is permissible to assist deprived areas to facilitate the development of certain economic activities if it does not distort trading conditions and, in "exceptional circumstances", if the Council of Ministers agrees unanimously.

The definition of the phrase "exceptional circumstances" is crucial, and Iberia, for example, claims that the recent devaluation of the peseta is such a circumstance. The interpretation of the rules on state aid for airlines has changed recently. The previous understanding was that major subsidies which would otherwise have been forbidden might be allowed on a "one-time, last-time" basis, with the aid to be used to allow the airline to become self-financing thereafter. I call that the drunken sailor syndrome. It has worked out as "one last drink" for state carriers such as Air France and Iberia.

Brussels, however, has made it clear that from 1 April 1997 it will seek to ban state aid to airlines for anything other than "exceptional and unforeseen" crises. When aid takes the form of a financial injection, it is normally subject to an investigation under article 93(2) of the treaty of Rome. States are meant to inform the Commission in advance under article 93(3). The Commission itself—for transport aid, Directorate-General VII—is responsible for investigating such aid and deciding whether it is compatible with the exceptions allowed under the treaty.

The Commission's approach to aviation state aid is set out in its guidelines, that were published in 1984 and 1994. There are two main elements to its evaluation. First, it considers whether a state injection into an airline is actually state aid. Under the market economy investor principle, an injection is an aid in terms of the treaty only if it is apparent that a private shareholder in analogous circumstances would not have made a comparable investment.

If the investment is deemed to be aid, the Commission proceeds to consider it in the light of exceptions, particularly that set out in article 92(3)(c). DG VII interprets that exception as permitting restructuring aid so long as it is transparent, facilitates a viable restructuring plan and does not transfer the recipient's difficulties to its competitors. There lies the rub.

In the past five years, the Commission has investigated a number of state aid cases of civil air transport. I shall list some of them. In 1991, Sabena received £584 million in state aid—that is sterling not ecu. That was approved. Air France received £665 million, and that too was approved. In 1992, Iberia received a grant of £670 million, which was approved. In 1993, Air France applied for £170 million, but that case was rejected. That was the only rejection on the list. In 1993, Aer Lingus received state aid of £170 million which was approved. In 1994, TAP Air Portugal's grant of £710 million was approved, as was Olympic Airways' grant of £995 million, and Air France received £2.4 billion, also with EC approval. In

1996, under the eagle eye of Commissioner Kinnock, Iberia received state aid of £460 million and that was approved under the market economy investor principle. We shall see how that works out. In other words, the flag carriers of six European Union member states out of 15 have between them received £6.364 billion of state aid over the past five years. Forty per cent. of EU states have received that grotesquely large amount of state subsidy—and some, such as Air France and Iberia, have repeatedly come back for more.

In July 1994, the European Commission approved state aid to Air France of 20 billion francs—about £2.4 billion—to fund a so-called restructuring plan, to be paid in three instalments. Concern at that decision prompted a number of European economic area airlines, notably led by British Airways, to mount a legal challenge before the European Court in the first instance. British Midland has brought a separate case. The UK Government, to their credit, have intervened formally to support the airlines—as have Sweden, Denmark and Norway. The cases are likely to be heard this year, probably in the autumn. The UK Government have also applied directly to the European Court to have the Commission's decision annulled. I applaud that intervention, as I did the intervention in respect of bovine spongiform encephalopathy yesterday. The Government's case has been stayed at our request pending the outcome of the airlines' own cases.

The Commission approved the second instalment of state aid to Air France in 1995 and is due to consider this year whether the third and final instalment should be approved.

The Spanish Government have sought approval for further state aid to Iberia totalling 130 billion pesetas, which is £688 million. The Commission's decision of 31 January approved an immediate injection of £460 million and left the door open for a further 20 billion pesetas of state aid—£106 million—in 1997, provided that certain cost savings and productivity improvements are made. Those payments are to be allowed under the market economy investor principle, but how that is applied will be crucial to the credibility of Commissioner Kinnock and the organisation that he represents. I have a particular interest because of my interest in Latin America. Iberia has been using state subsidies to fund its investments in carriers in Latin America, such as Aerolineas Argentinas and Ladeco in Chile. I understand that those stakes are to be reduced or liquidated; nevertheless, those investments have been permitted by the Commission.

The House may find it noteworthy and instructive to know some of the arguments that British Airways has rightly been advancing in making its case against the proposed latest tranche of aid to Iberia, which have been supported by independent aviation consultants Avmark International—which undertook detailed analysis of Iberia's so-called exceptional circumstances. British Airways' key points, in addition to universally applicable arguments against the payment of state aid to our competitors, are that this is the second occasion on which state aid has been requested for Iberia, and it falls within the period of the restructuring plan that accompanied the first tranche of state aid of 120 billion pesetas in 1992. To allow a further capital injection would violate the so-called "one-time, last-time" principle that has heretofore governed the payment of state aid to carriers in the European Union.

If one analyses the four reasons given by the Spanish authorities to justify further state aid, one realises that they cannot be classified as exceptional circumstances unforeseen and external to the company. First, Iberia claims that the Gulf war and the recession have affected all airlines, and that argument was also used to justify the 1992 capital injection. It is a long time since the Gulf war and certain carriers, particularly British Airways—which lost an aircraft at the outset of the hostilities—have weathered all the difficulties. Secondly, Iberia cites currency depreciation, but that is an international fact of business life and probably had little negative effect on Iberia's finances. Thirdly, Iberia blames domestic liberalisation, but that was planned for many years and was much trumpeted by the European Union. There has been progress in that respect in Spain to some degree and in other countries to a much higher degree. Finally, Iberia refers to its Latin American strategy, which everybody who knew the market realised was a recipe for disaster as well as a waste of money for taxpayers in the UK and elsewhere in the EU.

If the European Commission cannot even regulate effectively the single market in civil air transport, how can it be allowed to negotiate air service agreements with third countries on behalf of member states?

Mr. Terry Dicks (Hayes and Harlington): The theme of my hon. Friend's remarks—I apologise for missing the start of his speech—is that such subsidies are like a vegetarian saying that he wants no nuts, tomato or mayonnaise in his diet, which is possible but highly unbelievable. My hon. Friend makes the point, much more eloquently than I can do, that the claim made by the Commission and the airlines that they are not really keen on state subsidies but use them out of necessity is nothing more than a pack of lies.

Mr. Wilkinson: My hon. Friend is more trenchant in his comments but, as usual, is highly perceptive. Like me, my hon. Friend has many constituents whose livelihoods depend on civil air transport and on a vigorous British air transport industry. The Government have been firm, but they must maintain their firm stance on behalf of British airlines against unfair competition.

I urge the Government to take a further step and to veto any arrogation unto itself by the European Union of the right to negotiate air service agreements on the UK's behalf. That entitlement and prerogative essentially appertain to a sovereign independent state. If we allow the EU to act in that way, the UK will lose its position as the dominant civil air transport power in Europe. We can be sure that rights that have previously been ours will be frittered away to the benefit of the French, Dutch and Germans, who also have important continental gateways. I hope that the Government will veto any extension of the Commission's costly incompetence in an area of vital British national interest.

12.28 pm

Mr. Keith Mans (Wyre): I welcome the opportunity to say a few words in support of my hon. Friend the Member for Ruislip-Northwood (Mr. Wilkinson) on the important subject of civil air transport. Again and again over the years, we have seen a continental airline ask for money from its Government, and we have been told by the European Commission in Brussels that such aid will be a

[Mr. Keith Mans]

one-off payment and the last to the particular airline. On that basis, such aid has been allowed. Again and again, such support has been to the disadvantage essentially of British airlines that are much more commercially oriented, particularly since the privatisation of British Airways.

It goes a bit further than that. If air transport is to become more competitive, more commercial and give a better service to the customer throughout Europe, the only way forward is the way that has been pioneered by airlines in this country—airlines that are commercially viable and that are now the best in the world. Some continental airlines have seen the light. Lufthansa, for instance, is following the same route as British Airways, and that is to the advantage of Europe and customers throughout the European Union.

I also fully endorse the remarks made by my hon. Friend the Member for Ruislip–Northwood about the Commission having negotiating rights with the United States. Not only do continental airlines have to prove their commercial viability but the Commission that has to be made to understand that—before it can take on the responsibility, if it ever does, for negotiating air rights with the United States and other parts of the world on behalf of European Union countries—it too must be seen not to support those who wish to subsidise airlines in their countries.

I strongly believe that we should not give negotiating rights to the European Commission until it stops allowing states within the European Union to subsidise their own airlines. I would also like to see a clear situation in which we have time, after the subsidies have stopped, to see how those airlines perform before any thought is given to giving some of our own rights away to Brussels.

There is no doubt in my mind that there must be a limit to the way in which airlines that are in the public sector continue to receive subsidies. It is all very well to say that airlines in the private sector will be able to compete because they are more efficient, but the problem lies in the way in which some of the subsidised airlines operate. My hon. Friend the Member for Ruislip–Northwood mentioned Iberia and it is a classic case. The subsidised airlines use subsidies, not for infrastructure improvement or to reduce the number of employees and stop overmanning, but to target routes and make it difficult for competitors to operate profitably on those routes in the hope of getting sufficient market share to push competitors off those routes. That is the wrong approach and it will result in profitable airlines being unable to offer the service that they can at the moment and in those airlines that are not profitable asking for more subsidies to fly routes that were not profitable in the first place.

One of the lessons from the British Airways experience was that it considered its route structure 10 or 15 years ago. It considered all routes, however historic they may have been, and decided whether they were profitable. It cut the routes that were not profitable and cut the number of its employees in half in the process. It created a profitable airline as a result of the hard decisions that it took some 10 years ago. British Airways was then able to build up those routes again, and made routes that previously were unprofitable, profitable and in the process employed more people. British Airways now has twice the route network in miles flown, but it employs the same number of people. That must be the way ahead for state airlines such as Air France and Iberia, rather than attempts to prop up an existing unprofitable, uncommercial structure with continuing amounts of state aid.

12.33 pm

The Minister for Transport in London (Mr. Steve Norris): I am grateful to my hon. Friend the Member for Ruislip–Northwood (Mr. Wilkinson) for giving us the opportunity of this debate today. When he introduced the debate, at a rather unexpected hour, I thought that I perceived a note of mild and customarily gentlemanly disappointment in his voice at the thought that he and I would execute a pas de deux this morning. As an Under-Secretary, I declare myself on this occasion an unsatisfactory substitute. I assure my hon. Friend that, although on this occasion we are using the device of an Adjournment debate and although my noble Friend Viscount Goschen is the Minister for Aviation and Shipping, my right hon. Friend the Secretary of State for Transport takes the issue that my hon. Friend raised today extremely seriously. As I say, I am grateful to my hon. Friend for raising the subject and for expressing himself in such a clear and, if I may say so, trenchant fashion.

We also enjoyed an unexpected but none the less immensely pleasurable minor explosion from my hon. Friend the Member for Hayes and Harlington (Mr. Dicks), who, although he is a parliamentary private secretary for a Transport Minister, was obviously speaking in a private constituency capacity. It would be a shame to lose him. We also heard from my hon. Friend the Member for Wyre (Mr. Mans). My hon. Friends who have spoken are all characterised by the fact that they have taken an interest for many years in the subject. Heathrow is in the constituency of my hon. Friend the Member for Hayes and Harlington, and my hon. Friend the Member for Wyre has long had an interest in aviation matters. I do not believe that there is an hon. Member who has been clearer about his interest in the issue of European state aid than my hon. Friend the Member for Ruislip–Northwood.

Some £56 billion of United Kingdom visible trade passed through British airports in 1994. Each year, expenditure by air travellers visiting the UK, and by foreign passengers on UK airlines, totals nearly £10 billion. Total employment in airlines and airports within the UK is estimated at over 100,000. Air transport is a major industry, and a substantial UK success story, which fully deserves the attention of the House.

My hon. Friend the Member for Ruislip-Northwood will know that the Government, as he suggested, are firmly committed to competition in aviation, because competition is good for our airlines, good for our airports, good for the UK economy, and good for users. It is because we are convinced of the benefits of competition that the Government have long championed the cause of aviation liberalisation in Europe. The liberal bilateral agreements that the UK reached with Germany and the Netherlands in 1984, with Luxembourg and Belgium in 1985, and with Ireland in 1988, gave impetus to the momentum towards liberalisation throughout the European Community. The UK was instrumental in promoting and concluding the series of legislative measures, culminating in the so-called third package, which created the single market in aviation in Europe.

The single European market in aviation has formally existed since 1 January 1993. On international services within the Community, the third package opened up

access to all Community carriers. Member states must use the same criteria when issuing licences on grounds of safety and financial fitness. Member states can no longer favour their national carriers by issuing licences on a discretionary basis, and restrictions on cross-border investment have been removed.

Fares, frequency and capacity are now decided by airlines according to commercial principles, instead of being regulated by member states, subject only to safeguards against anti-competitive practices. The pattern of services can respond freely to changes in the pattern of demand. High-cost carriers can no longer rely on market protection from Governments to ward off more efficient and innovative competitors.

The only remaining restrictions apply on domestic services, and until 1 April 1997 member states may prohibit access to airlines registered in other member states. But that final barrier to access will be lifted in less than 12 months' time. All Community carriers will then be free to compete on all international and all domestic services within the Community. National carriers will no longer have the advantage of protection on busy internal routes from their major Community competitors. Competition will be further enhanced on international routes that are fed by those domestic services. The elimination of the final vestiges of regulated market access will present new commercial opportunities for UK airlines, which they are well placed to exploit with their experience of operating in the private sector.

European liberalisation has already brought pronounced benefits both to users and to efficient airlines. In both international and domestic markets, liberalisation has helped to trigger significant increased competition. For example, 43 new routes are being served, and 38 routes are now supporting an increased number of competitors. I am pleased to say that about a third of the new routes are within or to the United Kingdom.

Customers enjoy wider choice and lower fares. Small independent airlines now have a genuine opportunity to compete by differentiating their product in terms of price and quality. The larger flag carriers that are the target of the increased competition benefit indirectly as the pressures of open competition breed a more commercial attitude and greater efficiency, making them more competitive in the world market. It is true that on some Community routes fares remain higher than users might like to see them. But providing air transport is a high-risk, capital-intensive operation and competitive services may take some time to emerge. The legislative framework within which competition can flourish is in place. We can look forward with confidence to increasing benefits from liberalisation as time passes.

Even in domestic markets, where so far only home-registered carriers have been entitled to compete, the third package has had a number of beneficial effects. In Spain, Iberia's dominance of the Madrid-Barcelona route has been challenged successfully by two small airlines, Air Europa and Spanair. Iberia's share of the domestic Spanish market has fallen from 100 per cent. in 1992 to below 80 per cent. now. In France, Air Liberté has taken on Air Inter on the Orly-Toulouse and other internal routes, with resulting falls in business and economy fares.

I stress again that it is the United Kingdom that has led the way in encouraging free and fair competition. It is instructive and encouraging that the UK register boasts more privately owned international airlines than any other member state. From BA and British Midland down to the smallest company, each makes an important contribution to the wealth of the UK. They flourish because of the Government's pro-competitive and liberalising policies. They are carrying the message into the heartlands of their competitors, with companies such as Deutsche BA in Germany and TAT in France.

In 1987, as my hon. Friend the Member for Ruislip-Northwood said, we privatised British Airways. Today, as my hon. Friend observed, thanks to Lord King and Sir Colin Marshall, British Airways is widely recognised as about the most successful and profitable airline in Europe. By any standards, it is a major player on the global aviation scene. It has been the model for other European major carriers to follow. Moreover, British Airways has created jobs. As my hon. Friends know, the conventional wisdom in some European countries was that flag-carrying airlines had to be owned by the state and financed by it, to protect employment. British Airways has shown that that proposition was crassly erroneous. In the private sector, BA has increased its work force by about 35 per cent. over the past 10 years. As a result, it is employing more people than before privatisation, but at much higher levels of productivity.

It is worth saying that BA—the same can be said about British Midland, Virgin, Air UK and other operators—has achieved its pre-eminence without a penny of state aid or subsidy from the taxpayer. The BA example is clearly, however, the most spectacular. I am grateful to my hon. Friend for saying that state aid remains the greatest single threat to effective implementation of the single market.

State aid to national airlines has been an integral part of the aviation scene in several European countries for many years, yet it is entirely incompatible with the competitive regime that member states collectively have now established. If there is to be a genuine free market in air transport, the Community must put an end to the injection of public subsidies. They distort competition and penalise efficient carriers in countries that do not provide state aid. They perpetuate inefficiency and discourage innovation, to the detriment of passengers and business. There is no reason why taxpayers should subsidise airlines which, because of their inefficiencies, cannot survive in the marketplace.

As the House knows, the treaty of Rome puts the onus on the European Commission to control state aid. Over many years, we have been pressing the Commission to take a tougher approach towards member states that wish to continue paying outmoded state subsidies. Under the treaty, other member states have only limited powers to influence the Commission's decisions. The UK, however, has taken every opportunity to do what it can to ensure that state subsidies become a thing of the past. I can assure the House that we shall not weaken our efforts.

We have demonstrated our resolve, as my hon. Friend was kind enough to say, to tackle those issues head on by taking the Commission to the European Court over its decision in 1994 to allow the French Government to pay a £2.4 billion subsidy to Air France. Several European airlines, including British Airways and British Midland, have also challenged the decision. For the information of the House, the Government's case is currently stayed at our request, pending the outcome of the airlines' case. The Government had intervened in support of the airlines, and we hope that hearings will begin this year.

[Mr. Steve Norris]

The Air France decision represented a major threat to liberalisation and to the interests of UK airlines. It was a massive injection of funds, equivalent at the time of the decision to about 60 per cent. of BA's market capitalisation. Aid on that scale could damage the European air transport industry for years to come.

United Kingdom airlines compete head on with Air France on several routes. They will be severely disadvantaged if Air France can reduce its prices or improve its quality of service as a result of state aid. United Kingdom airlines have to develop their networks out of their own resources. Air France's ability to maintain a wider range of services than it would without subsidy deprives efficient airlines of the commercial opportunities that they are entitled to expect.

Air France produced a restructuring plan to accompany the request for aid. We have grave doubts whether the plan can succeed. It was not based on cost reductions of the sort or on a scale that a loss-making private sector airline would put in hand. On the contrary, Air France intended to purchase a substantial number of new aircraft. That itself was unnecessary, and would have utilised funds that might have reduced the effect of the aid that was sought. A loss-making private sector airline would have to focus on its core activities if it wanted to achieve viability. The Commission's decision did not ensure that Air France financed as much of its proposed restructuring as possible by disposing of non-core assets, which is the obvious route that a private sector operation would take.

All in all, our view was that the Commission made a thoroughly bad decision, apparently without due consideration. We look to the courts to rectify the situation. Meanwhile, we are maintaining the pressure. Air France has realised its investment in Sabena and postponed some of its aircraft orders since the aid was approved. We have pressed the Commission to take that into account in deciding whether final payment of all the aid is justified.

The recent Commission decision to approve a £460 million payment to Iberia is the latest in a long line of disappointing decisions. The Iberia case is not directly comparable with that of Air France. The funding is not on such an immense scale, although it is still very large. Largely for geographical reasons, the immediate commercial threat to UK airlines is not so great. As the Commission has decided that the payment to Iberia is justified as a commercial investment by the Spanish Government as a shareholder, the case raises different issues.

The Commission says that the approved funding is not state aid. The effect, however, will be the same—to shore up an inefficient company and to distort consumer choice. It is the second large payment to Iberia—my hon. Friend drew attention to an extraordinarily large catalogue of payments—over four years. As my hon. Friend said, £670 million was approved in 1992. We are now faced with the latest payment. It is unfair to airlines such as British Airways, British Midland and other UK carriers that compete without subsidy.

We are especially concerned about the possible precedent that could be set for other state-owned airlines that might seek capital injections in future. We could not tolerate a situation in which state aid was allowed to pass when dressed up as commercial investment, thereby circumventing the Commission's powers to disallow state aid under the treaty. That would undermine all our efforts to close the door on aviation subsidies. The Government have made clear to the Commission their views on that decision, and we are looking closely at its text to see what further options are open to us. My hon. Friend may be assured that the Government will act in whatever way is best to protect the long-term interests of the UK's aviation industry and, indeed, in a way that best promotes our objective of eliminating altogether state subsidies to airlines.

It is worth putting it on the record that not only state aid is a threat to liberalisation. As a few minutes remain, I shall, with my hon. Friend's indulgence, refer to one or two areas where it will be equally important to ensure that appropriate arrangements are in place. My hon. Friends will be aware of the importance, for example, of airport slots. It is unlikely that the growth in transport across the Community will be able to keep pace with the increasing demand for air travel, so congested airports will be increasingly common. We must ensure a fair and efficient system for managing airport capacity if the benefits of the liberalised market are to be realised.

Heathrow and Gatwick are respectively the first and fifth busiest airports for international traffic in the European Union, so the UK's airports have had a head start in developing processes for the allocation of take-off and landing slots. European law has already established the principle of a slot co-ordinator who is independent of airlines and the airport itself. It also gives preferential access for new-entrant airlines into the most congested airports, especially airlines that are willing to compete on monopoly or duopoly intra-Community routes.

The existing EC regulation is now due for review, and the United Kingdom Government are taking an active role in that process. Given the experience of three years' operation of the regulation, we are stressing the need first and foremost for its provisions to be properly implemented in every member state. In particular, that means that allocation decisions must be entirely free from interference by Government or any dominant airline.

We also believe that there is scope for the market to play a greater role in the distribution of slots. We acknowledge, of course, that a free-for-all auction would bring immense practical difficulties, but we are pressing for some trading of slots to be permitted between airlines once they have been allocated by the co-ordinator. That would tend to channel slots towards airlines that value them most, and strengthen the link between provision of services and consumer demand.

The second potential threat to liberalisation is air traffic control constraints, as delays add to the operating costs of airlines. Following UK proposals in the late 1980s, the European civil aviation conference launched initiatives to increase airspace capacity: through the establishment of European-wide flow management; by harmonising and integrating European air traffic management; and by increasing capacity in and around airports. In Europe, since 1990, air traffic control delays have halved in duration, while traffic has increased by an average of 5 per cent. a year. The United Kingdom wholeheartedly supports those initiatives.

Restrictions on the provision of ground handling services at Community airports are another potential brake on liberalisation. At some airports, monopolies run by the

airport authority or the dominant carrier provide inefficient or unduly costly services. We have therefore been a strong supporter of moves to open up the ground handling market.

We are pleased that the Community is close to adopting legislation to end monopoly arrangements and require all larger airports to permit potential suppliers of ground handling services to compete for contracts with airlines. Airlines will also have the right to carry out their own handling. Although the implementation of those measures will be phased in over a longer period than the United Kingdom would have preferred, they represent a positive step, to remove harmful restrictions. Opening up the ground handling market will provide the United Kingdom and other Community airlines with competitively priced and more responsive services, and will enable them to pass on those benefits to their passengers.

The United Kingdom aviation industry, the UK economy as a whole and UK passengers benefit, as my hon. Friend said, from a fully liberalised market in aviation. The Government therefore favour extending the single market beyond the borders of the European Community to other European states. Already, Norway is part of the liberalised arrangements, and negotiations are under way with Switzerland. We have said that we support a further extension to embrace the countries of central and eastern Europe, which in due course will lead to further opportunities for United Kingdom airlines and greater choice for users.

Mr. Wilkinson: I welcome what my hon. Friend is saying about the Government's strong desire to see an extension of liberalisation throughout the European economic area and, I presume, all European civil aviation conference member countries' jurisdictions as well. However, would it not be utterly wrong if the European Union were to arrogate to itself the right to negotiate air service agreements on behalf of its member countries, because that would create a dual situation in Europe, which could lead only to conflict and be to the advantage of the European economic area countries rather than those that are, like ourselves—for the time being at any rate—members of the European Union?

Mr. Norris: My hon. Friend reminds me of the important point that he made in his speech about who would negotiate in relation to third countries. My right hon. Friend the Secretary of State and, indeed, his predecessors, are absolutely clear that it is appropriate for member states to continue to negotiate such matters unilaterally and that there is little to commend the proposition that services be negotiated at Community level by the Commission. I suggest that it is hard to determine the advantage, other than the theoretical advantage, which would accrue. The interests of member states, their relationship with third countries throughout the world, the history of that relationship, and the ties of language, tradition or custom may bind individual members of the Community, but there are areas that differ between member states. All that suggests that unilateral negotiation is infinitely preferred. My hon. Friend is right to make that point.

If the definition of subsidiarity is that the Commission shall do only that which the member state cannot better do itself, that proposition in relation to the negotiation of third-party agreements would appear to commend exactly my right hon. Friend's proposal, and I know that in due course he will wish to say more on that extremely important subject, where, sadly, our view and that of the Commission would appear to be at odds.

In conclusion, I merely repeat how pleased I have been to be able to debate this subject, however inadequately, with my hon. Friend. Some member states have not always been predisposed towards an open market in aviation, and the United Kingdom has a justifiably proud record in leading Europe down the path of liberalisation. The Community has made good progress in recent years in creating the legal framework for a single European aviation market, but opening up access to routes is simply not enough. We need to root out any obstacles to free and fair competition, and the greatest of those obstacles is state aid. The benefits of liberalisation will be seriously diluted if efficient airlines cannot fully exploit their competitive advantage because other carriers are bolstered by state handouts.

The Government look forward to the time when all member states accept that any form of state support to airlines is fundamentally inconsistent with the principle of the single market. United Kingdom airlines have prospered without receiving any form of state aid, despite facing unfair competition from airlines in member states that do. The Government are committed to seeing the end of those practices, and to seeing aviation services provided on a genuinely commercial basis.

I am extremely grateful to my hon. Friend for giving us the opportunity to debate this important issue, and I hope that he will have observed, from the clarity with which I am able to put forward the Government's position, that we take the issue extremely seriously.

Probation Service (South Yorkshire)

12.59 pm

Mr. Michael Clapham (Barnsley, West and Penistone): I sought this debate after meeting South Yorkshire probation officers about two weeks ago to discuss the operation of the service. I was accompanied by my hon. Friends the Members for Sheffield, Central (Mr. Caborn) and for Sheffield, Heeley (Mr. Michie). Since then, I have met probation officers to discuss subsequent developments.

Sir Irvine Patnick (Sheffield, Hallam): I presume that that was a party caucus meeting; otherwise, I would have expected to be invited.

Mr. Clapham: It certainly was not. I thought that invitations had been distributed to Members from both main parties throughout South Yorkshire, and I am unable to elaborate on whether the hon. Gentleman received one—or, indeed, on why he did not receive one, if he did not.

It was clear from our discussion that the South Yorkshire probation service had responded positively to the challenges of recent years. I assume that the Minister has seen the service's annual report for 1994-95. If he has, he will have noted the increase in all aspects of probation work.

The number of pre-sentencing reports to the criminal courts has increased by nearly 15 per cent.; the supervision of offenders given community sentences has risen by 18 per cent., nearly twice the increase in 1993-94; there has been a 17 per cent. increase in the amount of automatic conditional release work; occupancy of bail hostels has risen by 10 per cent., and demand for welfare reports in the family courts has increased by 3.5 per cent. There has clearly been a dramatic rise in the work of the South Yorkshire probation service.

Impressive though those figures are, I must emphasise that the organisation aims not just to achieve numerical volume but to provide an efficient and effective service. What is not evident from the figures is the commitment to developing work programmes for specific groups of offenders that are intended to deal with certain types of offending behaviour. I think that the Minister will agree that that is an important development—a development that has taken place not just in South Yorkshire but throughout the probation service.

The South Yorkshire probation service's main function is the supervision of offenders on community orders, with the aim of preventing reoffending. In that way, the service makes a positive contribution to the community, ensuring public safety and strengthening ties. It works not in isolation, but in the community. Officers constantly interact with offenders who, while conscious of their actions, are not always conscious of the consequences of those actions. Those who have decided to change the qualifications for probation officers do not seem to have taken that on board.

Probation work is done in a social context. It is a complex process, often requiring the fixed ideas of offenders to be broken down so that they can be integrated and can live with others in harmony, without causing the problems that led to their initial contact with the probation service. Such a complex social process requires mature officers with good education and a good training; it requires the understanding that mature recruits bring to the job.

That understanding, however, needs to be underpinned by education and training of a high standard. I believe that the necessary educational qualifications should be gained in universities, which can provide theoretical knowledge that can then be linked to practical skills.

The South Yorkshire probation service feels that the abolition of the requirement for people to hold diplomas resulting from a two-year course in social work or its equivalent before they can be appointed as probation officers amounts to deskilling. I agree. I do not believe that the proposals for in-service training will provide the necessary combination of theory and practice. Even at this 11th hour, I ask the Minister to consider implementing a new two-year diploma course. If he cannot do so, he should at least be able to tell us that he is prepared to review the matter again with the Central Council for Education and Training in Social Work.

I am aware that the National Association of Probation Officers referred the whole matter of training to a judicial review. That review did not fully support NAPO's contentions, but I understand that the judge said that there was now a void, and that there should be appropriate educational and training qualifications for probation officers. Perhaps the Minister will expand on that.

According to the Dewes report, which was commissioned by the Government, the diploma in social work inhibits the recruitment of potentially valuable probation officers. The figures show, however, that the service is not losing nationally or regionally: it is obtaining mature recruits. In 1993, more than 50 per cent. of recruits were over the age of 30, and more than 40 per cent. had previous work experience. Perhaps the real disincentive has been caused by the fact that, in 1994, the Government cut £17 million from the probation service's education budget, thus reducing the number of available places.

Why, the South Yorkshire probation service asks, do the Government want to dismantle the current system of education and training, which is supported by NAPO and the Association of Chief Officers of Probation? The Industrial Society found its training and recruitment methods very effective.

It would seem—no doubt the Minister will expand on this—from leaks in the media that the Government wish to dismantle the probation service qualification, so that they can recruit more ex-service men and women, in the belief that they will instil more discipline. If that is really their objective, it results from a mistaken view of the probation service's work—like the belief that recruits do not require theoretical knowledge.

I again draw the Minister's attention to the fact that probation officers work with drug addicts, with people who are responsible for sexual abuse, with people who have been involved in family violence as well as family breakdown, and with the mentally ill. There is a need for a great deal of understanding, and that comes from an educational qualification steeped in much of the theory that applies to social work. Such education, linked to practice on the job, can provide the necessary skills to enable a probation officer to work well in the community.

Another reason why the Government want to dismantle the probation service came to the fore in an announcement only a week or so ago. *The Guardian* carried the headline

"Probation Pay Linked to Crime". I do not know whether the Minister saw that article, but he will no doubt be aware of the proposal for a pay-related bonus system. Probation officers in South Yorkshire feel that that would devalue the service. As we are now aware, the Home Secretary seems to be seriously considering the introduction of what I would refer to as a ludicrous performance-related pay system, which is linked to whether a probation officer's clients reoffend.

That barmy idea was proposed for the police force and withdrawn. The work that a probation officer does, to which I have referred, is even more complex, and a pay-related system would lead to all kinds of problems. It is an absolutely ridiculous idea, and would result in probation officers recommending for supervision under community orders only offenders they judge are least likely to reoffend. That would be the obvious way to ensure that they would receive their bonuses.

Those people who had been to prison or had a record of reoffending would not be recommended for community service. The system will ultimately lead to reduced pay levels in the service, which will deter the high-calibre recruits currently joining it.

I ask the Minister to reflect on the system's ultimate results. Are we saying that judges will be on bonus-related pay, and that their payment by results will be related to the length of sentences they impose? If that increased, as it ultimately would, the prison population, would prison officers be paid more to supervise the rise in the prison population? If so, are we to say that they are likely to receive decreases in pay if the prisoners they have been supervising were to reoffend? On reflection, I am sure that the Minister will agree that introducing a bonus-related pay system in the probation service is ludicrous and barmy.

As I am sure the Minister will be aware, there has been a fall in recorded crime of 2 per cent. in South Yorkshire. Burglary overall has fallen by 11 per cent. There was a fall of 1 per cent. in violent crime, and there has been a fall of 10 per cent. in the number of sexual offences. Those figures reflect in part—I emphasise, in part—the effectiveness of the South Yorkshire probation service. I say "in part" because I am aware that other agencies are involved in those welcome statistics, such as the police and the social services.

The probation service approach to offenders really works. There is a mountain of evidence to support that contention, but I shall use only two examples.

A cost-benefit analysis of probation-style programmes in America showed that the net saving of such programmes was $68,000 per offence. A study in the United Kingdom in 1993 followed a group of young offenders who had taken part in an intensive probation programme and compared them with a group of offenders who had been given custodial sentences. It showed that the volume of reconvictions of those given custodial sentences was 100 per cent. higher than for those who had undertaken an intensive probation course. The probation service approach is successful.

The whole approach could be undermined by an inadequate training system and a barmy payment-by-results system. The probation officers in South Yorkshire are extremely concerned by the Government's proposals—or should I say lack of them—on adequate education and training. They feel that the service will be deskilled. Moreover, they are worried that the proposed payment-by-results system will devalue the service, and that the ultimate loser will be the community. I share those fears.

The Government's ill-conceived proposals will undermine the confidence of the professionals in the service and be to the detriment of the community. I therefore urge the Minister to think again, and to work with probation officers, chief probation officers and the Central Council for Education and Training in Social Work to arrive at a satisfactory solution to the education issue. I urge him to drop the barmy idea of putting probation officers on a payment-by-results system.

1.16 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. Tom Sackville): I welcome this opportunity to reply to the hon. Member for Barnsley, West and Penistone (Mr. Clapham), and I pay tribute to the South Yorkshire probation service and its work, and to the probation service as a whole.

We in government fully recognise the tremendous contribution that the probation service makes. The criminal justice system is clearly not all about prison. Many offenders, as the hon. Gentleman said, will very much benefit from a community sentence. That is central to our policy. We are very well aware that the probation service faces a greater and greater challenge, and I am glad to say that its overall resources have remained in real terms at a consistent level, which reflects our attitude.

What the hon. Member said about training is very important. My right hon. and learned Friend the Home Secretary's decision last year to withdraw the requirement for a two-year social work degree has been misinterpreted, and misrepresented widely. It has been said, as it has again in this debate, that the decision represents deskilling. I reject that claim altogether.

We believe that we need very much more broad-based probation training in order to face the challenge of today's crime scene. No one would deny that social work is relevant to probation work, or that any new training scheme introduced should contain an important element of social work training, but other disciplines are equally important. Probation should be seen as a discipline in its own right, and any training scheme must incorporate all the relevant skills—whether in criminology, sociology or psychology—and expert knowledge that is required.

The hon. Member said that working with drug offenders is very important. This morning, I launched the south London drug strategy, which will involve a great deal of work by a number of professionals—including social workers and probation officers—in arrest/referral schemes. We must make sure that we can offer people who are passing through the criminal justice system—at the time of arrest, in court or during community sentences—the support they need to get off drugs. In doing so, we can reduce crime. That area formed a much smaller proportion of the work of the probation service five or 10 years ago.

We propose that the training and qualifications for probation officers in the future should contain all those elements, and should not be dominated by one particular discipline or by those with university qualifications. The training should be composed of the elements that the service believes are needed. The service should design the

[Mr. Tom Sackville]

course, which should contain enough flexibility to ensure that all the necessary elements are included. I hope that the negotiations will go ahead, and there is a meeting today between the Home Office and the profession. With good will on all sides, I am certain that the Home Office, the employers and managers of the probation service and higher education can come up with a course that reflects the needs and challenges of today.

Sir Irvine Patnick: May I join the Minister in praising the work of the South Yorkshire probation service? He may be aware that I made representations on behalf of that service to the previous Minister, and that those representations were considered before the changes that took place in the probation service. I am grateful for that, and I wonder whether my hon. Friend would like to comment.

Mr. Sackville: I am grateful to my hon. Friend for that intervention. We need a relevant professional training qualification. The hon. Member for Barnsley, West and Penistone pointed out that the present system has attracted many mature people to the service, but we should not get carried away with the idea that we are trying to attract large numbers of ex-service men, who may or may not have relevant experience.

There is a strong argument that telling someone who wishes to join the service and who has relevant experience—someone who has worked with young people or has done a variety of work in the field—to undertake a two-year social work course could be a considerable disincentive. That is not the case for everyone—many people who are highly qualified and suitable for the service may be happy to get the degree.

Mr. Clapham: The probation service has experienced no difficulty whatsoever in attracting the kind of recruits it requires. We are not talking about apprentices, or about people who work with mechanical parts. We are not talking about people who work with widgets. We are talking about training for men and women who are to work with people. They will need a theoretical education to underpin the skills they will require to work with drug abusers and sex offenders.

Mr. Sackville: The hon. Member ignores this fact—there is no reason why all the theoretical knowledge could not be gained within a more flexible framework. It will be up to the probation service, in conjunction with all other concerned groups, to design relevant courses that contain all these elements. All that we are saying is that a two-year social work degree should not be compulsory.

I am convinced that certain qualified and suitable people will be put off if they are told that they have to take a two-year social work degree. Many people may need social work training, but not necessarily the full social work degree. I think that that was the burden of the earlier remarks of my hon. Friend the Member for Sheffield, Hallam (Sir I. Patnick).

The hon. Member for Barnsley, West and Penistone also mentioned performance-related pay. Again, this matter has been widely misconstrued—including in the article to which he referred. The background is that a Home Office options paper was put to the employers' side of the joint negotiating committee. It made no specific proposal, and certainly did not specifically propose that performance should be linked specifically to reoffending. That would be difficult, and would be a caricature of any sensible performance system.

Some unnecessary fears have been expressed about the subject. It will always be up to the employers and local committees to decide on the nature of any performance-related scheme. All services should already be using the standard competence-based appraisal scheme that was introduced two years ago with the backing of all concerned. If properly used, such a scheme should provide an objective way of assessing and comparing performance, and it was designed to bear the weight of performance-related pay if necessary.

There are many ways of assessing performance—timeliness in producing pre-sentence reports; timeliness in producing welfare reports in family court cases; quality of pre-sentence reports; and compliance with national standards. There is no reason to caricature the proposal as in some way linked to a raw measure of reconviction. The hon. Member for Barnsley, West and Penistone's rather absurd analogies with judges and other parts of the criminal justice system did not add to the argument.

I accept the closing remarks of the hon. Member for Barnsley, West and Penistone. Probation and the probation service do work, but they work alongside other aspects of the criminal justice system. Probation is not a substitute for prison. Given that the reconviction rate is about 50 per cent., we must assume that the reoffending rate—whether for those leaving prison or those who have gone through community sentences—is considerably higher.

That is an argument for the fairly robust line taken recently by my right hon. and learned Friend the Home Secretary, who has recognised that—in cases of burglary, for example—very short sentences are passed from time to time on people who have offended and been convicted many times. There is room within the criminal justice system for an effective probation service, and we must make sure that the public are protected by taking those who persistently offend out of circulation.

We very much value the work of the probation service, and we hope that the present disagreement about the future of the probation training qualification—it has been going on for some months—will be resolved. There is no reason why we cannot find a flexible scheme that satisfies all sides and ensures that the probation service continues to play a vital part in our criminal justice system.

London Electronics College

1.29 pm

Sir Nicholas Scott (Chelsea): At a time when images of Culloden pour from our screens and appear in our newspapers and other journals week by week, it may be that it is another lost cause that I espouse in this brief debate this morning, in which I look forward to the response of my hon. Friend the Under–Secretary of State for Education and Employment.

The London Electronics college in my constituency was founded in 1892 as the British School of Telegraphy. Although it did not invent the morse code, it was the crucible within which morse code was developed and expanded across the world. Morse code became a method of communication which saved many lives in the course of the century which divides us from the beginnings of the British School of Telegraphy. Morse code has now been largely supplanted by other means of communication on land, sea and air, but it still exists in a reduced state in different parts of the globe. The London Electronics college has in the 104 years which separate us from its founding played its part in those events, but more recently has devoted its attention to the development of courses in electronic engineering. It has been a leader in the provision of such courses to a considerable number of students, both students from overseas who come to learn and develop their skills here and our own young and not so young people who wish to acquire skills in electronics which they can bring to bear in their own commercial and industrial futures.

In the past few weeks we have discovered that no new contract is to be given to the London Electronics college for its development of electronic engineering skills. The college faces in the next 12 months a progressive winding down of operations in Penywern road and, unless fresh thought is given to the issue, closure. My case for the college rests not on some sentimental adherence to the past but on the important and crucial role that I believe that it may be able to play in the future.

Last year it was my privilege to visit the college and see the exciting work that was being conducted there and the commitment not only of the students aiming to develop their skills but of the staff and management, who have devoted themselves to improving and developing steadily the teaching and output of the college.

We all know how immensely important the future of engineering and perhaps particularly electronic engineering is to the commercial future of the country. My hon. Friend the Minister for Science and Technology was recently keen to stress the importance of encouraging high calibre young people to take up careers in engineering, including electronic engineering, and he has been instrumental in introducing into our schools schemes, such as the engineering education scheme and headstart, to encourage young people within the mainstream education system to take an interest in and develop an enthusiasm for engineering. That is an admirable, indeed essential, part of our commercial and industrial future.

We now know not only that the London Electronics college faces closure in the not-too-distant future but that, as the principal of the college wrote to my right hon. Friend the Deputy Prime Minister about four weeks ago in response to a speech by him on the engineering profession:

> "All technician training in London has effectively been closed down by Centec"—

the training and enterprise council responsible for training in central London—

> "and there is now no GNVQ advanced engineering or NVQ electronics servicing training by any of the eight London TECs provided within the national adult retraining programme commonly known as TFW."

Coincidentally but distressingly, that decision was announced during national science, engineering and technology week. One hopes that the Government might rather better co-ordinate some of their decisions in this important field.

The London Electronics college is a major part of the system in London for the development of electronic engineering skills. The clouds are gathering over its future. None of the fault can be laid at the door of the management or staff. There is no lack of applicants to take up places on the courses in the college. Complicated administrative reasons play some part. They involve first the Government, who operate mainly through the Government Office for London, then Centec—the organisation responsible for training across a range of skills in inner London—and the London Electronics college at the end of the process.

The chief executive of Centec is Mrs. Gwyneth Flower, a lady for whom I have considerable admiration. I have watched the enthusiasm that she has brought to her task. In a letter to the London Electronics college in the middle of last year she set out the reasons why clouds were beginning to gather, even then. She said:

> "Firstly, the category of trainees for which we are responsible are defined by the Government and are as follows: those six to 12 months unemployed, those 12 to 24 months unemployed, those with more than 24 months unemployment and those with special training needs. Between Government and ourselves we have to attempt to forecast the number of trainees in each category over the year in order to establish our average contract value. Each of the above categories is paid for at a different rate and you will see that this leads to a fairly complicated situation which has a major influence on our contractual flexibility"—

that is to say their ability to provide what people who are out of work need in order to acquire the skills necessary to return to productive work.

Mrs. Flower went on to say:

> "I wish to make the point that it is Government policy to emphasise the delivery of jobs from TEC training programmes and, as a consequence, the value of a higher education qualification has been reduced from four to two points"—

that is to say in assessing the performance of the providers. She continues:

> "This is not of our making; it is part of a Government requirement placed upon us. While we may protest about this, the requirement remains."

If we are looking ahead to our future in the business of electronic engineering, the continued provision of high-quality skills will lie at the core of what we all, if we look at it in a rational way, should endeavour to produce. In essence, we are taking too short-term a view of the development of skills in what I reiterate will be an important part of our future commercial success.

We have reached the point where no training and enterprise council offers advanced engineering training for adult retraining in the London region. Last month, Centec cut all training provision by one third with only two weeks' notice. TECs are influenced—"encouraged"

[Sir Nicholas Scott]

may be too strong a word—to place payment emphasis and recruitment on job outcomes, not on national vocational qualifications or on higher education. I believe that that is a short-term way of looking at this area of activity.

I understand that some TECs are now paying commercial recruitment agencies to obtain jobs for them, which would have been obtained by applicants anyway. Agencies are then double funded—by employers and by TECs. I am also told—the Minister can confirm whether this is true—that some recruitment agencies have been making special deals with his Department to get this funding.

TEC funding is not going to the long-term, high-quality training that ought to be our first priority in this important area. As I understand it—I have no reason to doubt the information that I have been given—in order to achieve the training outcomes set by the Government, emphasis is increasingly being given to things such as low-level keyboard skills or to what is called, in the jargon of the trade, training hamburger flippers—that may be an overstatement. There is a reducing emphasis on high-quality skills and an increasing emphasis on low-level skills that can produce the right figures but do not underpin our industrial success for the future.

Our jobless youngsters deserve better than this. Young people who have been unemployed for more than six months undertake low-level training schemes that have a low skill requirement and they receive short-term training. They then go back on the register. That may do something to reduce the number of people on the unemployment register at any particular time and it may help to keep those figures down, but our young people deserve better than that. They ought to have the opportunity to acquire higher skills that not only provide them and their families with proper levels of remuneration but underpin our success in these areas for our industrial future. I am sure that our future prosperity depends on a better answer than the one we have at the moment in the training area. The London Electronics college provides that. It would be a tragedy if it were to close.

1.42 pm

Sir Norman Fowler (Sutton Coldfield): I endorse the remarks of my right hon. Friend the Member for Chelsea (Sir N. Scott). I know of the high reputation of the London Electronics college and I was appalled to hear that no new contract will be forthcoming, as was mentioned by my right hon. Friend. First, I was the Secretary of State for Employment who introduced training and enterprise councils. The idea was to get away from the kind of bureaucracy that had harmed training in this country for quite a number of years. We had a so-called national training system that was far too bureaucratic, that was not owned and that was entirely ineffective.

The aims of the training enterprise councils were that they should be owned locally, that they should be flexible, that their training should be relevant to the people living in the area, that the public sector should be involved and that we should train people with skills and for skills. I am bound to say that I have been concerned about the complaint after complaint—my right hon. Friend graphically illustrated this in the letter that he read out—that I have heard about what I would call a creeping bureaucracy coming back into the training and enterprise council system. If that is so, it is certainly not what was intended. I hope that the Government will look at the points made by my right hon. Friend in this respect.

Secondly, the aim of the training and enterprise councils—indeed, the aim of any sensible training system—is to train people in skills. It is important that there should be a job for people at the end of the day, but one cannot have a training system entirely plugged into the employment market in every respect. It may be that in some areas training—for example, training at the London Electronics college—will lead to higher education and further training. One should not turn one's back on that.

I am concerned with the issue that my right hon. Friend has raised. There are signs that the new training and enterprise council system that the Government introduced to get away from the national bureaucracy of the old Manpower Services Commission and all that that entailed is being slightly misused. I hope that the Government will be able to give some indication that the future of the London Electronics college will be looked at again and that a better solution will be found.

1.46 pm

The Parliamentary Under-Secretary of State for Education and Employment (Mr. James Paice): I am grateful to my right hon. Friend the Member for Chelsea (Sir N. Scott) for initiating the debate. He has shown considerable diligence in this matter over some months. He raised the issue in a letter to the Secretary of State. Obviously, he is concerned about the future of the London Electronics college, which is in his constituency. I preface my remarks by making it clear that it is primarily a matter for the parties concerned. I shall address the points raised by my right hon. Friends the Member for Chelsea and for Sutton Coldfield (Sir N. Fowler). The detail of the contract is a matter for the parties concerned.

The college has been a Central London training and enterprise council provider for the last four years. The use of the name "college" does not mean that it is necessarily part of the further education sector or that it is a formal college under the local education authority. It is a wholly private organisation—Government Members would not expect me to suggest that that is a criticism; I am putting the matter into context.

The college has been a Centec provider for the last four years and it has been providing courses in a number of areas related to electronics, engineering and applications systems. It has offered national vocational qualifications at levels 2, 3 and 4. The college has been successful in meeting the targets set in its contracts for the number of trainees achieving NVQs—in fact, 38 per cent. of the trainees obtain an NVQ.

However, the college has been unsuccessful in meeting the targets for the number of trainees who leave training and then enter employment. That is now the key performance indicator under training for work, to which my right hon. Friend the Member for Chelsea referred. My figures show that only 4 per cent. of its trainees obtain jobs at the end of their courses, compared with the national target—and achievement—of close to 45 per cent. That is a clear difference in achievement—it is not a matter of a few points.

My right hon. Friend also referred to the issue of training and its relationship to jobs. Of course, training must not be wholly related to the jobs that exist at the

time. However, it is equally true that training cannot take place in a vacuum away from the labour market. Obviously, I pay immense tribute to my right hon. Friend the Member for Sutton Coldfield for introducing TECs with a considerable amount of vision.

My right hon. Friend the Member for Sutton Coldfield will recall my humble membership of the Employment Select Committee at that time and the considerable enthusiasm that its Conservative members had for his proposal. The development of TECs is a great change in the delivery of training. One of their principal duties is to examine the local labour market and ensure that the training that is provided relates to its needs. Clearly, it is important that the training for which TECs contract relates to local needs, where real jobs exist.

My right hon. Friends know that TECs are, rightly, independent companies led by local business people for the reasons that my right hon. Friend the Member for Sutton Coldfield described when he set them up. They work under performance-related contracts with Government and their mission is to provide the country with the skilled and enterprising work force that it needs. There can be few hon. Members who would dissent from that mission.

Each TEC agrees a corporate plan with the Secretary of State in line with cross-Government strategic guidance and an economic assessment of the needs of its area. Those corporate plans are publicly available and form part of longer-term, three-year licensing arrangements. We are coming to the end of the first phase of the licensing programme because the majority of TECs now have three-year licences. Each has a duty to secure value for money and to maximise performance. They have a duty in respect of, and are accountable to this House through me and my right hon. Friend the Secretary of State for, their guardianship of public funds.

Ultimately, it is not the future of individual training providers that matters—over time quite a number have closed their doors for various reasons—but future adequate provision for the labour market and for all potential students who wish to undertake some form of training. I entirely share the enthusiasm of my right hon. Friend the Member for Sutton Coldfield for the concept of TECs and his concern about the rumours of what he called "creeping bureaucracy". There is no doubt that some training providers are concerned about that. My right hon. Friend may know that an efficiency scrutiny of the Government's relationship with TECs has recently been undertaken. A 40-point plan came out of that and we have rejected only two of those points. Almost all of them were implemented at the beginning of April. One or two of the bigger points will take until next April to implement.

There is also some concern—I have raised this with TECs and we are taking it forward—that some bureaucracy has been generated, not by Government but by individual TECs. We must tackle that. Putting my tongue in my cheek, I could say that the price of setting them up as independent companies, as my right hon. Friend the Member for Sutton Coldfield rightly did, is that I have that much less control over what they do. However, I am anxious to address the problem of bureaucracy.

The performance of every TEC is kept constantly under review and we publish each autumn tables comparing achievements that relate especially to the annual contract with my Department. As part of those negotiations, we expect that in the current year 197,000 training opportunities will be provided under training for work, which will lead to 45 per cent. of those trainees obtaining jobs. I emphasise the difference between that 45 per cent. and the actual achievement of the London Electronics college.

My right hon. Friends will no doubt be aware of this morning's excellent news that unemployment has fallen yet again to 7.8 per cent. of the population. That is an important factor because it underlines the Government's belief that the principal responsibility for training, especially to higher level skills, to which my right hon. Friend the Member for Chelsea rightly referred, must lie with employers. The Government cannot be expected to provide all the training that may be required by employers.

We believe that training for work should be focused on getting unemployed people back into the work force and doing something useful. Although my right hon. Friend the Member for Chelsea referred to hamburger flippers and low-level skills, that is not the objective of training for work—although there are some service jobs that may fit that description. We want people to get back into work and, once there, for employers to shoulder the burden of improving and developing their skills. We have ample evidence that that is happening. The surveys that came out this morning with the unemployment figures show that employers are expecting, yet again, to increase their investment in training.

I shall now deal with the specifics of the London Electronics college. I understand that Centec, the TEC that covers the area, reviews the performance of all its training providers as part of a continual examination and review of its training strategy. We all appreciate that it is important for it to review its contractual partners and, where necessary, to make changes. As a result of that, Centec decided not to contract with the college this year.

My right hon. Friend the Member for Chelsea made two suggestions that he believed to be correct. I think that they are both wrong but I will check them. He first suggested that Centec cut its training for work programme by a third at two weeks' notice. Colloquially, I may say that it is news to me if it did; there would be no justification for that. The Government have not cut training for work by a third and certainly not at two weeks' notice. Our plans for training for work for the coming year were published in the public expenditure survey at the end of November last year. I do not believe that Centec would have had any justification for doing that. I would therefore be very surprised if it had done it.

My right hon. Friend the Member for Chelsea also referred to the suggestion that recruitment agencies operate to get people into work and that there may be special deals with my Department. Certainly, there are no special deals with my Department. As far as operations with TECs are concerned, I cannot say that categorically but, again, I would be surprised if that is happening. I would be very disappointed and would wish to investigate the matter further. As far as the Department is concerned, it is not happening.

I know that Centec has been in discussion with the college and that they have discussed how the college might attract alternative funding. I was concerned when I read the information about the college to find that more

[Mr. James Paice]

than 90 per cent. of its funding is from contracts with TECs, principally with Centec. That is a very high proportion of its eggs in one basket.

Alternatives may be possible. For instance, the college may wish to consider the possibility of funding from the Further Education Funding Council as an external institution. The council may provide funds to institutions and bodies outside the further education sector for provision that falls within schedule 2 of the Further and Higher Education Act 1992 and where the council can be persuaded that existing provision is inadequate. Currently, applications for council funding by external institutions must be sponsored by an institution in the FE sector. The Government have already made it clear in the last competitiveness White Paper that we intend to remove that requirement, but it exists at present.

Ultimately, as my right hon. Friend the Member for Chelsea said, we must be concerned about where people will get training in future. In the past 24 hours I have carefully examined what is available in central London. Several FE colleges serve the area—Southwark, Lambeth, City of Westminster and Hammersmith and Fulham. They provide a range of full and part-time electronics and electrical engineering courses. It will be for the FEFC to decide whether there is a need for further provision. If it did so decide, it could fund it.

I shall not bore the House by going through the substantial list of courses that are currently provided in the area that my right hon. Friend represents. Alternatives are already available. That undermines the statements made by the head of the college in the letter to my right hon. Friend the Deputy Prime Minister, to which I know he will respond shortly. There is clearly alternative provision. Despite that, the college may wish to consider approaching FE sector colleges in its area with a view to seeking sponsorship for funding in the year to come.

I know that my remarks will not have brought all the help that my right hon. Friend the Member for Chelsea wished for. I am sorry that I am unable to be as helpful as that, but I hope that I have explained some of the background and, most importantly, that there is alternative provision. There is scope for the college to consider other ways forward and I hope that it will do that.

I hope that I have convinced both my right hon. Friends that there is a considerable amount of good work happening in the TEC movement, for which we all wish to pay tribute to its progenitor. I thank my right hon. Friend the Member for Chelsea for raising the subject.

It being Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Sitting suspended, pursuant to Standing Order No. 10 (Wednesday sittings), till half-past Two o'clock.

Oral Answers to Questions

TRADE AND INDUSTRY

Small Businesses

1. **Mr. William O'Brien:** To ask the President of the Board of Trade what assistance is given by his Department to help small businesses; and if he will make a statement. [23915]

6. **Mr. Llwyd:** To ask the President of the Board of Trade what proposals his Department has to assist small and medium-sized businesses; and if he will make a statement. [23921]

The President of the Board of Trade and Secretary of State for Trade and Industry (Mr. Ian Lang): The Government recognise the crucial role played by small firms and aim to assist them by keeping inflation and interest rates low and by reducing legislative, administrative and taxation burdens. A range of measures and schemes has been introduced to help small firms, in particular, the network of business link one-stop shops of which there are now more than 200 in operation.

Mr. O'Brien: Is the Secretary of State aware that in the recent referendum of small business people, 75 per cent. asked for competition in the installation of water meters and public utility services? Is he also aware of the anger and frustration that late payments have generated in the world of small business? Will he stress to his Cabinet colleagues the need for early legislation to help small business people in their campaign for fairness over late payments?

Mr. Lang: We are still on question No. 1, Madam Speaker, and question No. 2 deals with late payments, but since the hon. Gentleman started with a reference to referendums, I must point out that the majority of small business organisations are against statutory arrangements to deal with the late payment of debts. I warmly welcome the conversion of some Labour supporters to the importance of competition in the provision of goods and services. Competition has led to improved efficiency in electricity and the substantial reductions in gas prices in recent years.

Mr. Llwyd: Is the Minister aware that the latest *European Business Monitor* survey shows that two thirds of businesses monitored are of the opinion that economic growth will come from small and medium-sized enterprises? Given their important role in the economics of the United Kingdom, when will he offer some practical help? It is all very well talking about interest rates, and so on, but more important things should be done. What about the crippling effect of business rates on smaller businesses? What about the burden of value added tax? What about assisting small businesses to expand and take on new trainees and so forth? When are the Government going to do something and not just talk?

Mr. Lang: The hon. Gentleman does not know what is going on in the world. The Government long ago recognised the importance of small businesses in generating employment and economic activity. Unlike the Labour party, we have identified and implemented specific measures to help. The hon. Gentleman mentioned VAT. He may not realise that the VAT threshold was increased again in the last Budget; it is the highest in the European Union and has exempted 75,000 companies from VAT. He may not be aware of the changes made in auditing requirements, capital gains tax and inheritance tax, and the reduction in small firms' corporation tax. The Government have identified the problems of small business and found measures to help.

Sir John Cope: My right hon. Friend did a good job in organising the "Your Business Matters" conferences throughout the country, which concluded last month. Several important proposals came out of those. Can he tell us any more, particularly about the proposals to streamline local authority registration and controls on fire, planning and so forth into a one-stop shop affair and about single registration of new companies for income tax, VAT and other things?

Mr. Lang: I am grateful to my hon. Friend. That was an extremely successful series of conferences at which the Government consulted very closely with small businesses all round the country. A number of measures were announced by my right hon. Friend the Prime Minister at the final conference in London, including the streamlining of development controls, new rights in enforcement actions, and single notification for tax and national insurance arrangements for new businesses. In addition to those welcome measures announced at the conference, we made it clear that further announcements and a response to the input from all the conferences will be published with the competitiveness White Paper in June.

Mr. Dover: Is not the acid test how many small businesses are formed? Did not the number of small businesses grow from 2.5 million to 3.5 million between 1979 and 1993, showing the confidence that firms have in setting up under this Government? And did not the number of company insolvencies fall by 13 per cent. last year compared with the previous year?

Mr. Lang: My hon. Friend is right on both points. Between 1979 and 1993 the number of businesses in this country rose by 50 per cent.—an increase of 1.2 million—and it is clear that under this Government opportunity for enterprise, the building up of economic activity and the creation of small businesses has been greater than ever before.

Mrs. Roche: How can the President of the Board of Trade be so complacent about small firms and late payments in view of the Government's record? Whenever a survey on the statutory right to interest is conducted in the small business community—such as that conducted by Lloyd's Bank—such a right is overwhelmingly supported and 65 Conservative Members have signed an early-day motion supporting Labour party policy. How can the Minister be so complacent about the Government's record on small businesses when he now proposes to exclude more than 100,000 small catering firms from the loan guarantee scheme? Does not that proposal expose the gap between Government rhetoric and reality?

Mr. Lang: The hon. Lady is quite wrong. The loan guarantee scheme has been redesigned and extended in

some important ways, but we are also avoiding displacement of existing economic activity by that scheme. On late payment of debts, the hon. Lady may like to know that eight out of nine business organisations are opposed to the introduction of statutory interest payments on late payment of debts. Government policy such as the requirement to disclose payment policy has been warmly welcomed and we are now consulting on disclosing payment practice. We are encouraging and are signing on for the Confederation of Business and Industry code of payment conduct. It is important to change the culture in relation to late payment of debt, because no amount of legislation will succeed unless the culture changes. That is what is happening under the Government.

Mr. Congdon: Is not the best assistance to small businesses the continuation of economic policies that have led to the creation of a stable macroeconomic framework, which has today led to a further reduction in unemployment of nearly 26,000 people? Is that not the right way to achieve benefits for small businesses, rather than imposing burdens on them such as the social chapter and the minimum wage?

Mr. Lang: My hon. Friend is absolutely right. Like him, I warmly welcome the further fall in unemployment this month of 25,700 people. Unemployment has now been falling at an average of 10,000 people per month and is now very substantially over 3 percentage points below the European average. My hon. Friend is also right to identify what would be the cause of job losses in very large numbers: the social chapter and the national minimum wage, which are policies supported by the Labour party.

2. **Ms Lynne:** To ask the President of the Board of Trade if he will list the recent meetings he has held with representatives of small businesses about late payment of commercial debt. [23917]

The Minister for Small Business, Industry and Energy (Mr. Richard Page): The Prime Minister, the President of the Board of Trade and I were all present at the national "Your Business Matters" conference on 11 March, which was attended by representatives of all the major small firms organisations. A number of important issues were raised, including the late payment of commercial debt. In addition, I have recently consulted all the small firms' representative organisations on late payments and legislation for a statutory right to interest. The outcome will be published soon.

Ms Lynne: Is the Minister aware that some small businesses in Rochdale are facing increasing financial difficulty because of late payment of debt by many companies and by Government Departments? We know that he is currently consulting small businesses. If that consultation reveals that small businesses are in favour of interest being paid on late payment of debt, will the Government introduce legislation to make it possible?

Mr. Page: I have to put it delicately to the hon. Lady that she is labouring under a misconception. The problems being experienced by small firms are not caused by their not being paid by large firms. Research has shown that in fact the problem is that small firms are hitting other small firms. Research by Professor Wilson of Bradford university, which is to be published shortly, will confirm previous investigations. He found that the problem is caused by small firms themselves. He also concluded that some 40 per cent. of small firms do not undertake proper up-front credit control and that the companies which do have proper front-ending credit control have a 35 per cent. better chance of being paid promptly than those which do not. Small firms therefore have a management responsibility, too.

In specific response to the hon. Lady's question, consultation is under way. I shall be announcing the results shortly and any decisions will flow from those results.

Sir Michael Grylls: Does my hon. Friend agree that most small firms want less rather than more legislation and that they do not want legislation on the payment of debts? Does he agree that it would be much better to make public companies state in their accounts what their payment policy is and how promptly they pay their bills? Should we not get the Government and local government to pay small firms promptly? If that could be arranged, would not the problem largely be solved?

Mr. Page: As my right hon. Friend the President of the Board of Trade said, eight out of nine of the small firms' representative organisations have stated that they are against the introduction of a statutory right to interest on commercial late payment. I shall have to take that into account in evaluating the consultation.

As for payment practice and payment policy, it has already been agreed that public companies will have to put payment principle in their annual accounts. The Prime Minister has asked that consultation take place on payment practice, and I believe that is to happen in the next month or so.

Mr. Gunnell: A number of small firms in my area contributed to the consultation on the Latham report and wonder why nothing has happened as a result. Is the Minister promising legislation? Companies in my area think that the Government have been dilatory in this respect. They wanted something to happen urgently. They submitted evidence and the report was published, but nothing happened.

Mr. Page: I can give the hon. Gentleman some very good news. The Housing Grants, Construction and Regeneration Bill currently going through the House of Lords will for the first time introduce a proper payment practice for firms in the construction industry. It will prevent the pay-when-paid scandal and help small businesses immensely. It is a positive move in the right direction.

Mr. John Marshall: My hon. Friend referred to a recent meeting that he had with small business men. How many of them asked him to sign up to the social chapter and a national minimum wage or recommended that people earning £35,000 a year should pay more income tax?

Mr. Page: I have to chide my hon. Friend for being political, which is not a path that I wish to pursue. All I can say is that if we adopted a national minimum wage,

unemployment would rise by nearly a million and small business men would be the hardest hit if the Labour party were successful and a national minimum wage were introduced.

Land Mines

3. **Mr. Llew Smith:** To ask the President of the Board of Trade what proposals he has to ban the (a) manufacture and (b) export of land mines in (i) part and (ii) complete form. [23918]

The Minister for Trade (Mr. Anthony Nelson): We already have in place a wide-ranging national moratorium on the export of anti-personnel land mines. I have no plans to ban the manufacture of such land mines, although they have not been manufactured in this country or exported for a number of years.

Mr. Smith: Will the Minister follow the lead of General Schwarzkopf, 14 other high-ranking United States generals and the Australian Government in banning the use of anti-personnel land mines? Will the Government press for such a ban at the convention on inhumane weapons in Geneva next week?

Mr. Nelson: We keep those matters under constant review and we take careful notice of what our allies—particularly those in the North Atlantic Treaty Organisation—do in that regard. As the hon. Gentleman acknowledges, the proper place to discuss such matters is at the United Nations weaponry convention, which holds its concluding session towards the end of the month and I hope that it may lead to the implementation of a tighter regime. For the time being, however, the British Army and the British Government believe that land mines are necessary for our use and that casualties would be incurred if we did not have them. We do not export or manufacture them and we have imposed a moratorium and a ban on their export in a wide range of categories to a large number of countries.

Sir Donald Thompson: Will my hon. Friend take the matter very seriously, as hon. Members on both sides of the House are concerned about the proliferation of land mines which are disturbing even the aid going to Bosnia, including the recent very successful trip to that country organised by Welsh Rotary and supported by the international company Hasbro? Will my hon. Friend combine with officers in the Ministry of Defence and in the Foreign and Commonwealth Office to ensure that our voice is the loudest to speak out on the international scene against land mines?

Mr. Nelson: I of course take very seriously the points that my hon. Friend raises. We play an active role in international discussions about this issue and we abhor any loss of civilian life involved with the use of so-called dumb land mines. However, we must recognise that many land mines are used in internal conflicts in developing countries. When introducing any regimes or bans, it is important to ensure that the world acts in concert rather than unilaterally.

Many Opposition Members—67 of whom have signed an early-day motion on the subject—continually hark back to unilateralism. That would be absolutely pointless in this and in other areas. International agreement is important and Her Majesty's Government are intent upon achieving it.

Engineering

4. **Mr. Nicholas Winterton:** To ask the President of the Board of Trade if he will make a statement on engineering (a) investment, (b) exports and (c) profitability. [23919]

Mr. Lang: Information on the profitability of the engineering industry is not collected centrally, but engineering industry exports were £75 billion in 1995—an increase of 18 per cent over 1994. As for investment, the business trends survey of the Engineering Employers Federation shows that it continues to be buoyant.

Mr. Winterton: Does my right hon. Friend, who was at school with me, accept the views expressed by the Manufacturing and Construction Industries Alliance—and shared by the Engineering Employers Federation—that quality of training is vital to the manufacturing industry and contributes directly to investment, exports and profitability? Does he agree that a skilled and a motivated work force is one of the United Kingdom's greatest assets? Will he and his Department help to drive forward the recommendations in Sir Ronald Dearing's review of qualifications for 16 to 19-year-olds in order to ensure that quality of training is a priority?

Mr. Lang: My hon. Friend and I were indeed at school together, although he looks far too young, and I agree absolutely that training is important. I warmly welcome Sir Ronald Dearing's proposals, which are not very different from those that I introduced in Scotland some years ago. I recognise the importance of improved training, and the improvements in the engineering industry are reflected by the fact that productivity in that industry rose by 21 per cent. between 1990 and 1995.

Mr. Sheldon: Is it not clear that the Government have shamefully neglected the importance of the manufacturing industry? Thankfully, that has now changed, but the Government still do not appreciate the importance of manufacturing investment. Capital allowances are only 25 per cent., which is less than depreciation in the first year. That is equivalent to a tax on investment in the first year. Should not the President of the Board of Trade be doing something about that?

Mr. Lang: The right hon. Gentleman seems to be a little out of touch with the manufacturing industry investment figures, which for plant and machinery rose by almost 10 per cent. last year and by some 15 per cent. in the past two years. He may be interested to know that unemployment in the manufacturing sector fell by 3,000 last month. Clearly, the success of the United Kingdom manufacturing industry is a reflection of the Government's successful management of the economy.

Mr. Dunn: Given the increase in manufacturing exports of some 90 per cent. since 1979, does my right hon. Friend agree that the introduction of the minimum wage and the social chapter would create an absolute nightmare for British success overseas?

Mr. Lang: My hon. Friend is absolutely right. Looking at the social chapter alone, non-wage labour costs in the

United Kingdom are some 18 per cent. while in Germany they are 32 per cent. and in Italy and France they are more than 40 per cent. It is because we have become more competitive and avoided such additional costs that United Kingdom manufacturing industry is now so successful.

Mr. Kaufman: Will the right hon. Gentleman condemn the decision by GEC to close its electrical engineering subsidiary, Long and Crawford at Gorton road, Manchester, with the destruction of 135 jobs, many of them held by men with a lifetime of skilled and dedicated service? The company is offering meagre redundancy payments and 100 workers who are being transferred to another site are having their pay reduced by £60 per week. Exports to the middle east, the Gulf and south America are being thrown away and the site is being asset stripped at a profit to GEC. Is that not a disgraceful way to approach manufacturing industry?

Mr. Lang: I regret the loss of any job in any factory in any constituency, but I simply do not recognise the picture that the right hon. Gentleman paints of GEC, which is one of our most efficient, competitive, aggressive and successful companies in export and domestic markets all over the world. GEC has made a substantial contribution to the rise in British manufacturing exports of 90 per cent. since 1979 because the Government have allowed it to manage its own affairs in the way it thinks best.

Mr. Fabricant: Is my right hon. Friend aware that, unlike the motley crew opposite, who are made up of ex-journalists, ex-trade union officials and ex-failed polytechnic lecturers, I worked in the engineering industry? Does he realise that the social chapter would not only produce the additional on-costs to which he has already referred, but that if we were to sign up to that terrible document, we would be signing a blank cheque with heaven knows what result for British industry, particularly engineering?

Mr. Lang: My hon. Friend is absolutely right. As British industry, particularly our engineering industry, has become so efficient, it has been able to achieve the figures that I have given the House. That is why the prospect of growth for next year also looks most promising.

Mr. Ingram: Will the President of the Board of Trade confirm the shocking figures that his ministerial colleague gave the House on 20 March when he said:

"In the United Kingdom . . . only 12 per cent. of science and engineering graduates are in engineering. In Germany, the figure is 18 per cent.; in France it is 21 per cent. Germany produces a third more engineering and technology PhDs per head of population than we do and five times as many people are qualified to MSc standard."—[*Official Report*, 20 March 1996; Vol. 274, c. 326.]

Who is to blame for that shocking state of affairs? Is it our competitors, because they are so much better than us, or is it the Government, who systematically destroyed our manufacturing and engineering base during the 1980s?

Mr. Lang: There has been a substantial increase in the number of engineering graduates in recent years. Next year, the Government will be sponsoring the Year of Engineering Success, which I am sure will be as successful as the recent Science, Engineering and Technology Week. The successful management of the economy and the encouragement of better skills has meant that engineering has contributed to British exports, which since 1981 have grown faster than those of Germany, France or Japan.

Mis-selling of Gas Contracts

5. **Mr. Jamieson:** To ask the President of the Board of Trade what discussions he has had with the Director General of Gas Supply about mis–selling of gas contracts in the south-west. [23920]

The Minister for Industry and Energy (Mr. Tim Eggar): My Department is keeping closely in touch with the Office of Gas Supply about the progress of gas competition in the south-west.

Mr. Jamieson: Is the Minister aware that trading standards officers in Devon have received record numbers of complaints about the selling by Swebgas of contracts to customers who were tricked into signing those contracts? Is he aware that Ofgas is totally helpless to protect customers? Is this yet another example of the Government looking after the market and putting the interests of consumers second?

Mr. Eggar: I have never heard anything more nonsensical, even from the Opposition. This Government introduced competition in the south-west and made it possible for consumers to be offered reductions of up to 25 per cent. in their gas bills.

Mr. Hicks: While in no way condoning unnecessarily aggressive salesmen, does not the introduction of other companies supplying gas in Devon and Cornwall afford the opportunity for gas price reductions in real terms, particularly in a region which hitherto has suffered as a consequence of regional differential pricing?

Mr. Eggar: I absolutely agree. Consumers in the south-west trial area can choose their gas supplier from 10 different competitors, a number of which are offering supplies without a standing charge or with substantial discounts to low-use as well as high-use consumers. That good news for consumers has been widely welcomed throughout the south-west.

Mr. Nigel Griffiths: Given the record number of complaints from customers in the south-west about mis-selling, how can consumers trust the same company to take over half the country's electricity generation?

Mr. Eggar: The hon. Gentleman always accentuates the negative. He is meant to represent the interests of consumers for his party, but we have not heard a single word of welcome from the hon. Gentleman for the substantial reductions in gas prices for individual consumers. The hon. Gentleman knows perfectly well that individual consumers in the south-west can get reductions in their gas bills of up to 25 per cent. Why does the hon. Gentleman not welcome that fact, even though he has always opposed competition up to now?

Mr. Harris: Will my right hon. Friend reject the predictable carping of Labour Members and accept the

genuine thanks of consumers across the south-west, who welcome increased competition which in some cases will mean £70 off the average gas bill? Is that not a good example of Conservative policies in action to the benefit of consumers?

Mr. Eggar: I completely agree. Those Conservative policies were introduced in the face of opposition by Labour Front-Benchers, whose arguments have been disproved by the results of competition so far in the south-west. I have no doubt that in the coming months large numbers of my hon. Friend's constituents will benefit considerably from reductions. He mentioned £70 off the average gas bill, but in my view that figure may be extended—and there are likely to be increased standards of service to individual consumers in addition to price reductions.

Renewable Energy

7. **Mr. Tipping:** To ask the President of the Board of Trade what plans he has to help promote renewable energy sources and industries in the United Kingdom. [23922]

Mr. Page: The Government are stimulating the development of new and renewable energy technologies and industrial and market infrastructure via the non-fossil fuel obligation and a supporting programme.

Mr. Tipping: Will the Minister consider further steps to help this country's environmental technology industries—including, for example, solar power, for which the global market was worth £1 billion in 1993. At that time, Britain had 10 per cent. of solar panel exports but was spending less than 1p per person on solar research. Should not a research framework be established so that the UK can be the enterprise centre for creating new energy sources, making sure that British companies get a fair share of the world market?

Mr. Page: I am well aware of the hon. Gentleman's particular interest, and I broadly agree with the thrust of his question. He is right to remind the House that we sometimes take access to electricity for granted. We should never forget that millions of people have no electricity and that the only means of obtaining it will be through the use of photovoltaics. I can give the hon. Gentleman some good news. BP Solar alone achieved 7 per cent. of the world market in 1995 and has so far attracted orders in excess of £15 million. The market is huge, as the hon. Gentleman told the House, and I certainly want to see it developed.

Mr. Ian Bruce: My hon. Friend will know that the Government have been encouraging local authorities to burn municipal waste to create energy, but will he carefully consider the representations on the subject? Most constituents are in theory happy with that approach, but they do not want the effluent from incinerators anywhere near their homes. I wonder whether the Government have got local popular opinion wrong.

Mr. Page: The decision on where to locate any particular NFFO project is a planning matter for the local authority. The NFFO project is a two-pronged objective. One objective is environmental improvement, to reduce the pollution that comes from conventional methods of energy production, and the other is the creation of a manufacturing base in renewables.

Mr. Battle: As the Minister said that he agrees with my hon. Friend the Member for Sherwood (Mr. Tipping) and that he is especially keen on photovoltaics, why does he not open up the fossil fuel levy, which at present excludes support for photovoltaics? Would it not be better to let them in to ensure that we end up a world leader in that industry and do not fall further behind?

Mr. Page: I remind the hon. Gentleman that the whole purpose of the non-fossil fuel obligation is to bring about a convergence of energy production from renewables so that that approach can actively and competitively compete in the market against conventional energy producers. The question of photovoltaics will be considered alongside all the others when we consider NFFO5 and, if it can achieve some market convergence, it could certainly be included. I would want to be convinced that the market convergence will be obtained, because I do not want to waste taxpayers' money.

Manufacturing (East Midlands)

8. **Mr. Garnier:** To ask the President of the Board of Trade when he next plans to visit Leicestershire for discussions with representatives of the manufacturing sector about Government policies to encourage exports and inward investment from and into the east midlands. [23923]

The Parliamentary Under-Secretary of State for Trade and Industry (Mr. Phillip Oppenheim): Ministers in the Department keep in touch with all regions on a regular basis to stress the Government's commitment to competitiveness. The latest available figures show that the east midlands has the highest proportion of manufacturing gross domestic product of all the regions.

Mr. Garnier: Is my hon. Friend aware of just how successful the manufacturing sector of the east midlands and Leicestershire is in exporting not only to the European Union but to the wider world? Does he agree that one of the reasons for that is the highly useful role that the business links offices in Leicester and Market Harborough, which cover my constituency, have played? Does my hon. Friend also agree that the reason why we attract so much inward investment into those business regions is that we do not have a statutory minimum wage?

Mr. Oppenheim: I agree with my hon. and learned Friend, and it is not just the east midlands that has benefited. A recent survey showed that while the manufacturing productivity gap with Germany expanded to its widest margin by 1979, we in Britain have closed three quarters of that manufacturing productivity and competitiveness gap with Germany since 1979. That is quite an achievement and it shows that the period when Britain was in danger of becoming a second-rate, non-manufacturing, skivvy, low-wage economy was not under the Government but in the heroic days of Labour's industrial strategy.

Mr. Purchase: Is it not true that the majority of our productivity gains have been caused by loss of labour in

key manufacturing areas? Is it not also true that, in the face of Tory complacency, manufacturing as a fraction of GDP fell by more than a third in the years of Tory control? How does the Minister explain that away?

Mr. Oppenheim: First, the manufacturing sector in relation to GDP in Britain is at about the same level as in other European countries, such as France and Italy. Secondly—*[Interruption.]* If hon. Gentlemen would listen, they would hear that the number of manufacturing jobs has fallen in virtually every industrialised country. It has risen slightly in this country recently. What matters is not just the jobs in manufacturing but manufacturing productivity, which has risen because of organisational and efficiency improvements and manufacturing output. The key point is that whereas manufacturing output fell under the last Labour Government, it has risen sharply under this Government.

Rural Depopulation

9. **Mr. Kirkwood:** To ask the President of the Board of Trade what further incentives he proposes to assist industrial development in those rural areas in the United Kingdom experiencing depopulation; and if he will make a statement. [23924]

The Minister for Competition and Consumer Affairs (Mr. John M. Taylor): The Government provide a number of measures to encourage industry and commerce in rural areas. Some rural areas, such as the hon. Gentleman's constituency, also qualify for European structural funds objective 5b programmes and from Community initiatives programmes such as Leader II, for which further funding will be announced shortly.

Mr. Kirkwood: Will the Minister confirm that unemployment levels are still the determining factor for eligibility for regional selective assistance? Does he accept that some rural communities—such as Hawick in my constituency, which is not unique because there are similar communities throughout the United Kingdom—find that people leave the area to find work rather than sign on and register as unemployed? Will the Minister therefore give urgent consideration to making rural areas potentially eligible for regional selective assistance, where they can show long-term population decline as a result of job losses?

Mr. Taylor: The hon. Gentleman is right; unemployment has always been one of the dominant criteria. However, many factors are included in the RSA calculations. I pledge that I shall ensure that the hon. Gentleman's suggestion about depopulation is considered when the criteria are next reviewed.

Plant and Machinery

10. **Mr. Pope:** To ask the President of the Board of Trade what was the level of manufacturing investment in plant and machinery in (a) 1989 and (b) 1995. [23925]

The Minister for Science and Technology (Mr. Ian Taylor): Manufacturing investment in plant and machinery, measured in constant prices, was £12 billion in 1989 and £10.3 billion in 1995. Investment in plant and machinery has grown by 16 per cent over the past two years as the economy has recovered from the recession.

Mr. Pope: Manufacturing accounts for only 20 per cent. of gross domestic product. Almost 3 million jobs in manufacturing have been lost since 1979. Manufacturing output is stagnant. This appalling state of affairs is the result either of incompetence or of malice on behalf of the Government; which is it?

Mr. Taylor: The manufacturing base has been immensely strengthened since 1979 when compared with the appalling performance under the Labour Government. Manufacturing output has reached a peak. It is recovering very quickly. I am delighted that 3,000 extra jobs were created last month alone in the manufacturing sector. Manufacturing output has risen 6.25 per cent. above its previous peak. That is all good news on the 20th anniversary of the Royal Academy of Engineering, which I shall be celebrating with it this evening.

Mr. Batiste: Is it not clear as we look around the world, including at Japan, America, Taiwan and Germany, that companies that are the best manufacturers regard Britain as the best place in Europe in which to manufacture? Is that not a consequence of the range of Government measures introduced since 1979, which have been opposed root and branch by the Labour party, year in and year out? Those measures are even now threatened by the Labour party's commitment to the social chapter, which would tie us irrevocably to the social costs that are making German manufacturing uncompetitive.

Mr. Taylor: I entirely agree with my hon. Friend. Over the past 10 years the United Kingdom has received £100 million-worth of inward investment, which has created employment throughout the country. We are the only Group of Seven country in which non-manufacturing costs form a lower proportion of total labour costs than in 1980. Our manufacturing record and the way in which we have responded to world competitive challenge are remarkable. The Labour party should remember to give some praise to British manufacturers' efforts.

Mrs. Beckett: Will the Minister take the opportunity to dissociate the Department of Trade and Industry once again from one of the more dangerous recent statements of the Deputy Prime Minister, when he suggested that levels of investment in manufacturing offered no cause for concern, especially as his justification was that business investment in the United Kingdom was a higher percentage of gross domestic product than in most other countries within the Group of Seven? The Library tells me that it is unable to substantiate the statement.

Does the Minister accept that, as the confidence of the Deputy Prime Minister seems to be misplaced, so too is the Government's rejection of measures such as investment allowances, which would encourage increased investment in manufacturing?

Mr. Taylor: I shall not get into a debate over librarians' statistics with the right hon. Lady. I want to get it across to the House that manufacturing industry is making an enormous effort to compete in the world. The CBI figures show that manufacturing investment could be

up by 9 per cent. this year. Even the Institute of Manufacturing's figure is up by 7 per cent. The right hon. Lady would be best served if she gave attention and encouragement to that process.

Future Large Aircraft

11. **Mr. Wilkinson:** To ask the President of the Board of Trade what request his Department has received for launch aid from aircraft, aero-engine or aerospace equipment manufacturing companies in the United Kingdom towards participation in the Airbus Industrie future large aircraft project. [23926]

Mr. Eggar: No such request has been received. Launch aid is granted under the Civil Aviation Act 1982 and is not available for military projects.

Mr. Wilkinson: I am reassured by that answer, as the market to which the FLA could be directed is already dominated at the one end by the C130J, in which British industry has a large stake, and at the other by the C17 McDonnell Douglas transporter. Would not launch aid be much better applied to Airbus Industrie's construction of a new jumbo jet, preferably in collaboration with McDonnell Douglas, which also wants to build such an aircraft, so that we can take on Boeing and fill the last remaining gap in Airbus Industrie's inventory of aircraft at the top end of the range?

Mr. Eggar: I take note of my hon. Friend's views. With regard to the future of Airbus Industrie, it is the Government's view that the highest priority is the rationalisation and increased competitiveness of Airbus Industrie, thus enabling it to compete effectively with Boeing and other aircraft manufacturers.

Mr. Cousins: Will the Minister make it clear that there will be no question of support for Airbus Industrie's jumbo jet project if it continues to have exclusive agreements with General Electric of the United States to build aircraft engines, to the disadvantage and exclusion of British aircraft engine manufacturers?

Mr. Eggar: Certain of the Airbus Industrie aircraft already use Rolls-Royce engines, but clearly it is important that if Airbus Industrie is to add to its existing range of aircraft, it should do so in a commercially sensible way, producing the highest quality aircraft at the lowest cost, thus giving a return both to shareholders and to Governments.

Internet Terminals

12. **Mr. French:** To ask the President of the Board of Trade how many Internet terminals there are in (a) the United Kingdom, (b) Germany and (c) France. [23927]

Mr. Ian Taylor: Figures are not available for terminals, but for hosts—in other words, computers directly connected to the Internet. In February 1996, the UK had more Internet hosts per head than either France or Germany, with 7.8 hosts per 1,000 inhabitants as against 5.6 for Germany and 2.4 for France.

Mr. French: I am grateful to my hon. Friend for confirming those figures, which show the UK to be in the lead in this matter. Will he tell the House what progress he has made in reaching agreement throughout Europe on putting in place arrangements to screen out certain material from the Internet and in particular whether he has had an opportunity to make an appraisal of the proposals made by CompuServe?

Mr. Taylor: I am grateful to my hon. Friend for raising what is a difficult issue, but I must tell him and the House that Governments should tread warily in trying to control the information on the Internet, which is a network of networks that has had remarkable success largely because it has grown entirely through private initiative since its early days in the defence sector. If it is designed to survive a nuclear attack, it is likely to be resistant to Government regulation, as the German Bavarian Government found. That does not mean that there is not a large onus on the network service providers to provide a highway code for potential purchasers of software. I am encouraging them to do that, and I hope that we shall see progress over the next few weeks.

Mr. MacShane: If the Minister is so keen on the spread of information, why has his Department undertaken legal action of the most outrageous nature against Mr. Adam Raphael of *The Economist* to gag—

Madam Speaker: Order. "Erskine May" clearly says that a supplementary question must follow the substantive question closely. We shall move on.

Oil and Gas Reserves

13. **Mr. Canavan:** To ask the President of the Board of Trade what is the latest estimate of the oil and gas reserves in the United Kingdom continental shelf. [23928]

Mr. Eggar: The reserves estimates for 1995 are still in preparation and will be published in volume 2 of the "Energy Report" later this month.

At the end of 1994, however, remaining discovered reserves were estimated to lie between 575 million and 2,075 million tonnes of oil and 660 billion and 1,915 billion cu m of gas.

Mr. Canavan: As our trade deficit would be even worse if it were not for oil and gas reserves, which have brought revenues to the Treasury amounting to a total of £137 billion in today's prices, is it not one of the greatest national scandals of our time that the Tories have frittered away most of that money instead of investing it in the nation's future?

Mr. Eggar: The considerable revenues that have flowed from North sea oil and gas have been invested in infrastructure, the health service and education—and, I might add, in repaying a fair proportion of the debts left to the country by the last Labour Government. But the most important aspect of the North sea oil and gas industry is the employment that flows from it, both directly and indirectly. It is estimated that well over 300,000 jobs depend on the industry, and many of our most technologically advanced manufacturing companies produce goods related to it.

Mr. Jenkin: How much oil and gas would have been discovered over the past 15 years if oil and gas in the

North sea had remained in public ownership, and the companies concerned had remained under state control—starved of the private finance that is necessary for investment? How much revenue would we have earned, and how many losses would the Government have had to finance?

Mr. Eggar: I speak from memory, but I believe that in the late 1970s there were confident predictions from the right hon. Member for Chesterfield (Mr. Benn) that the United Kingdom would be coming to the end of its oil production during the latter part of the millennium.

Energy Pre-payment Meters

15. **Mr. Martlew:** To ask the President of the Board of Trade what plans he has to ensure that customers on pre-payment meters are not discriminated against in the competitive energy supply markets after 1998. [23930]

Mr. John M. Taylor: Competition is the best way of reducing prices and improving services for all customers. In the competitive gas and electricity markets, all customers of the current public suppliers—including those on pre-payment meters—will be free to choose their supplier.

Mr. Martlew: Is it not a fact that those with pre-payment meters now pay considerably more than those who pay by direct debit? With the freeing up of the market, what action will the Government take to protect the poor and most vulnerable from exploitation? Will they give those people hope, and say that they should be paying the least for energy? At present, those people are paying the most.

Mr. Taylor: As the hon. Gentleman says, there is evidence that, historically, additional costs have been involved in supplying pre-payment customers. However, the regulators are charged with ensuring the existence of safeguards against discrimination in the marketplace. New gas suppliers are offering savings to customers, whatever their level of consumption—an average of 15 per cent. to 20 per cent. off—and I understand that new suppliers also plan to offer savings to pre-payment customers.

Aircraft Exports (India)

16. **Mr. Madden:** To ask the President of the Board of Trade what representations he has received concerning the supply by British Aerospace to India of Hawk 100 aircraft. [23931]

Mr. Nelson: None.

Mr. Madden: India and Pakistan have gone to war over Kashmir in the past, and both countries now have a nuclear capability. Does the Minister agree that another war over Kashmir is potentially the most dangerous conflict in the world today? Given that serious situation, does he also agree that it is grossly irresponsible for Her Majesty's Government to promote sales of Hawk aircraft or other arms to either India or Pakistan? Instead of promoting arms sales, should they not press the Governments of India and Pakistan to come to the negotiating table, under the auspices of the United Nations—in line with UN resolutions—to reach a political settlement of the Kashmir dispute that would give the people of Kashmir the right to determine their own destiny?

Mr. Nelson: I share the hon. Gentleman's concern—a concern that must be felt by hon. Members on both sides of the House—about the continued unsettled, simmering situation in Kashmir. However—although it is not directly my ministerial responsibility—I must tell the hon. Gentleman that I do not necessarily accept that we should not be engaged in the sale of defence equipment to India.

I have not considered an application for a licence for the export of Hawk aircraft. We know that India requires an advanced jet, and—along with the Prime Minister and others—I have taken opportunities to commend Hawk to India. We await events, but we must follow our own licensing application procedures. We must also be careful not to do what the Labour party seems increasingly to be doing—turning down virtually every export market that we have for defence equipment.

Mr. Atkins: Does my hon. Friend agree that the Hawk 100 is one of the most successful aircraft of its type, built as it is partly in my constituency, and that, in export terms, British Aerospace is one of the most successful companies worldwide? Does he therefore agree that any attacks on the credibility of customers who want to buy such aircraft from such companies, as has been occurring recently in certain aspects of the British media in relation to Saudi Arabia, does nothing but damage prospects not only for the aircraft and the company but for the jobs of many people, including those in my constituency who are contributing substantially to the economy's future?

Mr. Nelson: I concur whole-heartedly with what my right hon. Friend says about British Aerospace and our specific export market in Saudi Arabia. British Aerospace is this country's top exporter and is responsible for employing 25,000 people. Yet, at every opportunity, the Opposition seem to be turning down export markets. Some of the reports, malicious and mischievous as they have been, about one of our principal markets for defence sales, the market in Saudi Arabia, have potentially been most injurious. The Government certainly do not share those views. It is a most important market to which we want to continue to supply defence and other equipment.

Manufacturing Industry

17. **Mr. Win Griffiths:** To ask the President of the Board of Trade when he next plans to meet his European Union counterparts to discuss manufacturing industry. [23933]

Mr. Lang: My colleagues and I meet our European Union counterparts regularly to discuss a range of industrial issues.

Mr. Griffiths: Will the Secretary of State confirm that, out of the 15 members of the European Union, Britain ranks 11th in manufacturing output and that, since his party has been in power, more than 40 per cent. of manufacturing jobs have been lost? What lessons does he think he can learn from all those countries whose manufacturing output is higher than that of the UK?

Mr. Lang: I do not know where the hon. Gentleman got his figures from, but he might like to know that the

British economy grew faster than the Group of Seven average in 1993-94, and is expected to be ahead of the pack, along with Germany, in 1996. If he looks at investment, he will see that under this Government it has risen six times faster than it did under Labour. Indeed, alone among our main EU competitors, British companies' investment in research and development rose again last year for the fifth successive year. I simply do not recognise the picture that the hon. Gentleman is trying to paint.

Mr. Hoon: Why do the Government claim to have made Britain the enterprise centre of Europe when, according to Organisation for Economic Co-operation and Development figures, only four out of the 15 EU countries have lower levels of manufacturing output, Britain is in 11th place in the EU in investment per head of population, and in trade with other European countries Britain has the worst trade deficit of every country except Greece?

Mr. Lang: I have already given the House the investment figures. On the competitiveness of the British economy, the hon. Gentleman will be aware—if he is not, he ought to be—that the British productivity growth rate was bottom of the league under the Labour party and is now at the top.

Intermediate Development Areas

18. **Mr. Barry Jones:** To ask the President of the Board of Trade what percentage of Great Britain is now designated an intermediate development area. [23934]

Mr. Oppenheim: Development areas cover 16 per cent of the working population of Great Britain and intermediate areas cover a further 17.75 per cent.

Mr. Jones: Why did the Government strip my constituency so unnecessarily of full development area status? Will the Government please restore it, bearing in mind our employment problems and the fact that we are encountering problems with inward investment as a result of the lack of development status? Does the hon. Gentleman know that it was noted in my constituency that full development area status was given to a neighbouring English constituency that is represented by the former Secretary of State for Wales, the right hon. Member for Wirral, West (Mr. Hunt)?

Mr. Oppenheim: The hon. Gentleman's constituency has benefited, and still does, from a certain amount of regional aid. Since 1983, that has helped to safeguard 10,000 jobs and attracted a number of new companies to his constituency. In November 1995, we announced that the map would not be revised again this Session. It is only just under three years since it was last revised. I am sure that the hon. Gentleman would accept that we need some stability, especially to allow investors to make their long-term decisions. The other point that he should remember is that the EU limits the total area to which we are able to give coverage, and if we were to give further coverage to his constituency, it would mean a reduction in another area.

Mr. Michael Brown: I take issue with the hon. Member for Alyn and Deeside (Mr. Jones) for this reason. Like him, I had a development area in my constituency; but we lost it when the map was last revised—thank goodness. The fact that we lost development area and assisted area status is a tribute to the growth in the economy in my constituency. Will my hon. Friend take it from me that industry now comes to my constituency not because it has the begging bowl of development area status but because unemployment has come down? Will he tell the hon. Gentleman that the real benefit that comes when a constituency no longer has development area status is that it has a growing economy and is therefore successful?

Mr. Oppenheim: My hon. Friend is absolutely right. His constituency lost jobs in the early 1980s, and it was a difficult time. The steel industry, for example, employed a lot of people in his constituency. That industry lost billions of pounds a year under Labour. It was the world's largest loss maker, and we had a £1 billion a year deficit in iron and steel products. Now British Steel—in a country where the manufacturing base has supposedly been devastated—is the most profitable steel company in Europe, and we have a £1 billion export surplus in iron and steel products. That shows the difference between our policies and the dead hand of old Labour's industrial policies in the 1970s.

Manufacturing Industry

20. **Mr. Sheerman:** To ask the President of the Board of Trade what steps he is taking to improve the quality of senior managers in British manufacturing industry. [23937]

Mr. Eggar: The Government have been working with a wide range of organisations to promote and improve senior management skills which are an essential component of improving competitiveness.

Mr. Sheerman: The Minister will know that, apart from the low quality of Ministers in the Department of Trade and Industry, the most difficult barrier that our manufacturing industry faces is a scarcity of high-quality managers. Will he speak to Professor Kumar Bhattacharyya and look at the Warwick experience in terms of training high-quality manufacturing managers? We need a scheme that clones or replicates that development of qualified and specialised postgraduate managers. If we did that, we could start to repair some of the damage that the Government have done to our manufacturing sector.

Mr. Eggar: The hon. Gentleman rightly pays tribute to the work of the university of Warwick, and I join him in that. He fails, however, to recognise the considerable increase in the number of graduate business schools which are developing manufacturing expertise among senior management. He fails also to pay tribute to the work done at those business schools. Any fair-minded analysis of the present state of British manufacturing industry would recognise that there has been a considerable change in the quality of management at all levels. I also pay tribute to most of the work force in British manufacturing industry, whose skills have improved dramatically since the late 1970s.

Exports

21. **Mr. Harry Greenway:** To ask the President of the Board of Trade if he will make a statement on the current level of exports in (a) manufacturing, (b) financial services and (c) other areas. [23938]

Mr. Nelson: In 1995, manufacturing exports were £127 billion, exports of services were £43 billion—of which £5.5 billion were net financial services—and earnings from overseas assets were £90 billion.

Mr. Greenway: Does my hon. Friend agree that success breeds success? Would it not be right to show those excellent figures all around the world? Will that not lead to more jobs being created in this country? Would that not be better than the negative attitude of Labour and the other parties, who constantly talk down the great success that our exports are having?

Mr. Nelson: The answer is certainly yes, and I am grateful to my hon. Friend for drawing attention to the record export of goods and services and receipts from foreign investment. Those should be a matter for joy and celebration on both sides of the House, but they clearly are not. We should advertise our successes more—for example, we are now exporting more per head than Germany or Japan. That is happening not just because of business but because of the policies of the Conservative Government.

Mr. Dalyell: Will the Minister put in the Library any information his Department has about exports to the Rabta project in Libya, alleged by some to be a chemical weapons site and by others to be major water-producing site? What is the British Government's reaction Government to the alleged refusal to send an international inspection team at the invitation of the Libyans to see what they are up to?

Mr. Nelson: I do not recognise the allegations that the hon. Gentleman makes, but I would be very happy to look into the matter and to write to him. If he then wants to table a question, I will endeavour to answer it as fully as possible.

Equitas Rescue Plan

22. **Mr. Timms:** To ask the President of the Board of Trade when he expects to make an announcement on the Equitas rescue plan initiated by Lloyds. [23940]

Mr. Nelson: As I announced on 29 March in answer to a question from my hon. Friend the Member for Bournemouth, West (Mr. Butterfill), I authorised Equitas on that day.

Mr. Timms: I think the Minister will confirm that this will be the biggest single reinsurance transaction in history. Given that his approval was only conditional when he made his announcement on 29 March, can he tell us when he expects to be in a position to consider giving full authorisation to the project and what he will require before he does that?

Mr. Nelson: As the hon. Gentleman will know, there were a number of conditions precedent to the full authorisation of Equitas. It will require principally a vote of the names to support the reconstruction recovery programme and the paying in of sufficient funds to capitalise Equitas not only to meet its long-term liabilities under the policies but to provide the sufficient margin of solvency that I am required to be satisfied about under the Insurance Companies Act 1982. I have set out those requirements and criteria carefully and I hope that the matters can be decided on by the autumn. That is a matter not for me but for Lloyds and Equitas in particular. When they come back to me, I will have to consider whether the conditions have been met and whether full authorisation can be granted.

Points of Order

3.30 pm

Mr. Bill Michie (Sheffield, Heeley): On a point of order on the rights of Back Benchers, Madam Speaker. At column 509 of the *Official Report* of Prime Minister's Question Time yesterday, in answer to my Question 2, the Prime Minister claimed that Sheffield city council had an uncollected debt of £558 million. In fact, the £558 million *is the Government-approved borrowing requirement for* housing, schools and other important things. He also said that Sheffield was a "rubbish" city council, because of its bad collection record, yet the Department of the Environment admits that Sheffield is second from the top of the big six, and has a collection rate of more than 90 per cent.

Madam Speaker: Order. What is the point of order for me?

Mr. Michie: Is it in order for me to continue and raise the issue—

Mr. David Shaw (Dover) *rose*—

Madam Speaker: Order. Just a moment. Let me deal with one point at a time. The hon. Gentleman is over-anxious, as always.

If the hon. Member for Sheffield, Heeley (Mr. Michie) seeks to make a point of order, it must be a matter of procedure for me to deal with.

Mr. Michie: It is.

Madam Speaker: Then tell me how I can deal with it.

Mr. Michie: It is a matter of misleading the House. The problem is that everything that the Prime Minister said was totally untrue. He should be asked to withdraw those remarks, and apologise to the House and the people of Sheffield.

Madam Speaker: As the hon. Gentleman and the House knows, I have no responsibility whatever for the content of answers given by Ministers at the Dispatch Box, but the hon. Gentleman has made a point and he must pursue it by other methods. He can do that by means of the Order Paper and in many other ways of which I am sure he is well aware.

Mr. David Shaw: On a point of order, Madam Speaker. It has been a tradition of the House that, if a major inward investment proposal comes to this country, the Deputy Prime Minister or the President of the Board of Trade inform the House that that is the case. Can you account for the fact that no Government statement appears to be in position, yet there is an article in today's *Times* that suggests that hundreds of millions of pounds of inward investment are coming to the Hartlepool area?

It appears that a Member of Parliament on the Opposition Benches has been to the far east to get hundreds of millions of pounds for his area. Why is none of this money coming to other constituencies? We would all like some of that money. Could we not have a Government statement on the position?

Madam Speaker: I have not been informed that any Minister seeks to make a Government statement today. I do not always believe what I read in the newspapers. Newspaper people are often inclined not to spoil a good story with the facts.

Mr. Denis MacShane (Rotherham): I raise a point of order concerning the rights of a Back Bencher. Madam Speaker, you gently rebuked me during question time when I sought to raise a question about Mr. Raphael of *The Economist*. How can I, under our procedure, ask the President of the Board of Trade to defend this most monstrous assault on press freedom, and, in particular, to get an assurance from him that no gagging order or further attempts against *The Economist* will be pursued?

Madam Speaker: Order. The hon. Gentleman tried to put his question in a supplementary question on question 12 which dealt with Internet terminals. He should try to put his question in the correct order, in the usual way—through the Table Office—to the appropriate Minister.

Mr. Paul Flynn (Newport, West): I raise a genuine point of order concerning the procedures of the House and the ability of Back Benchers to correct misleading impressions that are given in oral questions. Madam Speaker, on three occasions recently I have given you notice when information that has been given in answers by Ministers from the Dispatch Box has been untrue or at least highly misleading.

You will recall that, yesterday, I asked a question on a serious matter involving 200 deaths from the drug paracetamol. The Minister said that there were 45 to 60 deaths. I checked with the Library, and it confirmed that my figure is correct—that there have been 220 net deaths from paracetamol alone, and that there have been 585 deaths in which paracetamol was involved. This is a matter of enormous importance. My figure is far removed from the Government's figure.

The matter that I wish to raise—I have asked the Procedure Committee to look at it—is whether we could have a period during our day in which we can raise these matters, not under bogus points of order—as occurs in other Parliaments throughout the world. We would have the opportunity to raise issues and to correct untrue impressions that have been given from the Front Bench—inadvertently or otherwise.

Madam Speaker: I have been present in other Parliaments where they have the use of zero hours, which I assume the hon. Gentleman is seeking. I would not recommend it.

Mr. Tam Dalyell (Linlithgow): On a point of order, Madam Speaker.

Madam Speaker: Order. I have not finished my response—I have been asked a number of questions.

The hon. Gentleman has followed the correct procedure, since he has referred the matter to the Procedure Committee. He also wrote to me following the

[Madam Speaker]

answer to his question yesterday. He followed the right procedure by writing to the Minister concerned setting out the detail, giving what he believes to be the correct figures, and asking for a correction. Perhaps he should now wait for the Minister to give a response to that letter as he wrote it only yesterday.

I refer the hon. Gentleman to the Order Paper, where he can table further parliamentary questions on the matter. He can also use the Order Paper to put down an early-day motion if he feels that he has been unfairly and incorrectly treated.

Mr. Dalyell: My hon. Friend the Member for Sheffield, Heeley (Mr. Michie) ought to pursue his point in a different way. It is a matter for you, Madam Speaker, and for the Procedure Committee. It is a matter of procedure rather than substance in this case.

There is an entirely new practice in this House, whereby senior Ministers, particularly the Prime Minister, rubbish local authorities without having had the courtesy to check with those local authorities on the facts. I cannot talk about the particular case of Sheffield, as you would rule me out of order. However, there is the general issue of the elected Parliament treating elected authorities with maximum discourtesy. I think that is a matter for the Speaker of the House of Commons.

Madam Speaker: As I said in reply to the original point of order, the Speaker of the House—as the hon. Gentleman knows, and as all hon. Members know—has no authority whatsoever in relation to the content of answers and speeches that are made in the House, including those made by Ministers. If, through the usual channels, the hon. Gentleman seeks—and the House wishes to have—a debate on this matter, it might be a good way of opening up the issue about which he is concerned.

Mr. Richard Caborn (Sheffield, Central) *rose—*

Madam Speaker: Another one from Sheffield.

Mr. Caborn: On a point of order, Madam Speaker. The issue that my hon. Friend the Member for Sheffield, Heeley (Mr. Michie) raised is important for the integrity of the House. Examples of the House being misled have been given this afternoon. Will you guide the House by saying that you disagree with such deliberate misleading, and that facts should be checked, because the House is being brought into disrepute?

Madam Speaker: I have made it quite clear that the Speaker has no responsibility for the content of answers given by Ministers. The Order Paper is there to be used. If hon. Members wish to make it plain in an early-day motion that they feel that incorrect information has been given, it is there for them to use it to gain publicity and to press for debates on those matters. That is the only way to pursue such points, unless hon. Members want to refer the matter to the Procedure Committee.

Sir Michael Neubert (Romford): Further to that point of order, Madam Speaker. Will you deprecate the suggestion that the House was deliberately misled, because that is out of order?

Madam Speaker: I certainly deprecate that, and it is not the case. Ministers, as well as hon. Members, are responsible themselves for the comments that they make here. It is certainly untrue that the House was deliberately misled yesterday. I would have deprecated it at the time had I thought that that was the case.

Mr. Dennis Skinner (Bolsover): On a point of order, Madam Speaker. Have not the exchanges involving my hon. Friends from Sheffield shown once again that the Government would not recognise the truth if it was sprayed on their eyeballs?

Madam Speaker: I do not recognise a point of order there, so we may proceed.

BILLS PRESENTED

Northern Ireland (Entry to Negotiations, Etc)

Secretary Sir Patrick Mayhew, supported by the Prime Minister, Mr. Secretary Heseltine, Mr. Secretary Howard and Mr. Michael Ancram, presented a Bill to make provision for elections in Northern Ireland for the purpose of providing delegates from among whom participants in negotiations may be drawn; for a forum constituted by those delegates; for referendums in Northern Ireland; and for connected purposes: And the same was read the First time; and ordered to be read a Second time tomorrow and to be printed. [Bill 105.]

Commonwealth Development Corporation

Mr. Secretary Rifkind, supported by Mr. Jeremy Hanley, Mr. Michael Jack and Mr. Anthony Nelson, presented a Bill to amend section 2 of the Commonwealth Development Corporation Act 1978 to confer further powers on the Commonwealth Development Corporation; and for connected purposes: And the same was read the First time; and ordered to be read a Second time tomorrow and to be printed. [Bill 106.]

Disabled Persons (Services, Consultation and Representation) Implementation

3.40 pm

Mr. Gordon McMaster (Paisley, South): I beg to move,

That leave be given to bring in a Bill to provide for the coming into force of the provisions of the Disabled Persons (Services, Consultation and Representation) Act 1986 relating to the appointment and rights of authorised representatives, the assessment by local authorities of the needs of disabled persons, and the procedures to be implemented when a person is discharged from hospital, and to make corresponding provision in respect of the Disabled Persons (Northern Ireland) Act 1989.

It is almost exactly 10 years since the private Member's Bill promoted by my hon. Friend the Member for Monklands, West (Mr. Clarke) received an unopposed Third Reading. A few weeks later, the Disabled Persons (Services, Consultation and Representation) Act 1986 was given the Royal Assent and passed into law. Yet a decade later, four major sections of that Act of Parliament have still not been implemented. Those provisions would have made a tangible difference to the lives of countless thousands of disabled people and people with mental illnesses.

The Government's continued refusal to implement the law of the land is an insult to those people and their carers. But it is more than that—it is an insult to the House, and to democracy itself. Surely it cannot be right for a Government stubbornly to ignore a law passed by Parliament. A Bill that is enacted and then not acted on cannot change anything for anyone. An Act that is not put into action is reduced to empty words and broken promises. Disabled people are disappointed—and, yes, angry—that that Act is still not being fully implemented; but they are not surprised.

It is not the first time that legislation designed to improve the lives of disabled people has been passed by Parliament and ignored by Government. For example, the Chronically Sick and Disabled Persons Act 1970, which was piloted through the House by my right hon. Friend the Member for Manchester, Wythenshawe (Mr. Morris), has suffered the same fate. Many hon. Members, and countless thousands of disabled people throughout the country, deeply regret my right hon. Friend's decision not to seek re-election. The best tribute that we could pay him for his years of dedicated service to the cause of disabled people's rights would be to implement both his Act and the 1986 Act, in full and now.

Earlier today, along with hon. Members from both sides of the House, I attended the launch of a new campaign called Time to Care. Hundreds of people from all parts of the country came here to demand an urgent overhaul of care in the community. This Bill would be a significant step forward in that campaign, because it would give disabled people, people with mental illnesses and those with learning difficulties the right to have an advocate, the right to be consulted on their care, the right to be represented, and the right to have a proper assessment of their needs. A 30-minute meeting involving advocacy could rescue someone from a lifetime of misery.

When my hon. Friend the Member for, Monklands, West drew first place in the private Members' ballot more than 10 years ago, he introduced a Bill that had the support of all parties in the House. The Health Minister at the time described the Government's position as "sceptical neutrality". Following an intervention by the then Leader of the Opposition, Neil Kinnock, the day before the Bill was to be read the Third time, the Prime Minister—Mrs. Thatcher, as she was then—agreed to let it pass, subject to some redrafting.

My hon. Friend the Member for Monklands, West then found a queue of Ministers at his door—Ministers who had refused to discuss the Bill with him during the preceding months. He worked with them through the night to redraft and amend the Bill, and the next day it had an unopposed Third Reading. That is what makes the Government's failure to implement the Tom Clarke Act all the more absurd. They are refusing to implement important sections of an Act that they had a hand in drafting.

Yesterday, the Prime Minister boasted in this Chamber about the Government's record on improving the lot of disabled people. I would challenge that claim, and so would millions of disabled people. How can they be full and equal citizens if they do not enjoy the fundamental and basic right to be consulted about the services delivered to them? How can their potential be maximised if they do not have the right to be represented, when, for whatever reason, they cannot represent themselves? How can services be targeted and tailored to suit their needs, if those needs are not assessed?

The Government place great emphasis on the citizens charter. We are told that it is all about empowering individuals. That is precisely what the 1986 Act is about—empowering disabled people, people with learning disabilities and those with mental health problems to have a say in their own lives, and, where they cannot have that say, to have an advocate speak for them.

It is not only plain wrong to impose care packages on people without giving them a say in what those packages should contain: it can also be wasteful. It can be costly to provide inappropriate community care—costly to the provider, the individual and the community. We all know of cases in our constituencies of people who have been discharged from long-stay institutions and have caused problems in the community. That is bound to happen when there is no proper assessment of need.

In a recent case in my constituency, someone was discharged and given a house in a community with which he had no connection and where he felt lonely and isolated and had no one to offer support. Almost inevitably, he drifted into a life style that caused problems for his neighbours, who came to my surgery to ask for my help. Coincidentally, the person they were complaining about came to see me later the same day. It took no more than a few minutes to establish that he had family support available in another area. Had his needs been properly assessed, and had he been consulted, the situation could have been avoided.

We all know of the two separate tragedies that occurred in lion's dens because of the lack of proper assessment before discharge. But each and every day, people are discharged from long-stay institutions and find themselves in a metaphorical lion's den because their needs have not been assessed. There are increasing numbers of mentally ill people in prisons across the length and breadth of the country because the courts have nowhere else to send them. Advocacy, consultation, and, above all, the assessment of needs before discharge, would do much to avoid that situation.

[Mr. Gordon McMaster]

If we take a walk along the streets of any major city any night of the week, we see people that community care has failed. It has given them only cardboard homes and cardboard hopes. The nation is shocked at newspaper headlines about another murder or tragedy involving someone who has been discharged from a long-stay institution.

The natural reaction is to blame community care. That is wrong. It is not the concept of community care that is wrong, but the lack of support and assessment. It is a great disservice to the United Kingdom's 6.5 million disabled people, the hundreds of thousands with learning disabilities and the 7 million carers that they face this plight. It is also an appalling waste of the talents and abilities of hundreds of thousands of ordinary people, including young people, who would be willing to be voluntary advocates. They have been denied that opportunity of personal fulfillment.

All I am asking is that the examples of best practice that already exist in some places in the UK should become the norm for the entire nation. As my hon. Friend the Member for Monklands, West said when he introduced his Bill in 1986, for too long disabled people have been "done unto". He was right. Disabled people craved independence then, and they still crave it now.

If the Tom Clarke Act was right and necessary in 1986, it is right and even more necessary in 1996. I call on the House to remove a blemish from its reputation, and to deliver this aspect of civil rights to our disabled people. In that spirit, I commend my Bill to the House.

Question put and agreed to.

Bill ordered to be brought in by Mr. Gordon McMaster, Mr. Alfred Morris, Sir John Hannam, Mr. Gareth Wardell, Mr. Dafydd Wigley, Mr. Charles Kennedy, Mr. Dennis Canavan, Rev. Martin Smyth, Mr. John Hume, Mrs. Margaret Ewing, Mr. Peter Thurnham and Mr. Tom Clarke.

Disabled Persons (Services, Consultation and Representation) Implementation

Mr. Gordon McMaster accordingly presented a Bill to provide for the coming into force of the provisions of the Disabled Persons (Services, Consultation and Representation) Act 1986 relating to the appointment and rights of authorised representatives, the assessment by local authorities of the needs of disabled persons, and the procedures to be implemented when a person is discharged from hospital, and to make corresponding provision in respect of the Disabled Persons (Northern Ireland) Act 1989: And the same was read the First time; and ordered to be read a Second time upon Friday 26 April and to be printed. [Bill 107.]

Opposition Day

[10th Allotted Day]

Railtrack

Madam Speaker: I have selected the amendment in the name of the Prime Minister.

3.51 pm

Ms Clare Short (Birmingham, Ladywood): I beg to move,

That this House, noting both the public opposition to the privatisation of the railways throughout the United Kingdom and the undertaking given by Her Majesty's Government during the passage of the Railways Act 1993 that Railtrack would remain a publicly owned company for the foreseeable future and believing that the flotation of Railtrack will damage the national interest, lead to short term profits being put before long term investment and to lower safety standards, calls upon Her Majesty's Government to withdraw the present plans for the sale of Railtrack and to conduct a thorough review with the aim of securing for the nation higher levels of rail investment, improved services and the best possible return on taxpayers' money.

The motion points out that the overwhelming majority of the population of the United Kingdom—which of course includes Northern Ireland—are opposed to the privatisation of the railways. It also draws attention to the fact that the House of Commons has never given its consent to the sale of Railtrack, which owns the track, signalling, bridges and stations that lie at the heart of the railway network.

It is notable that, during the passage of the Railways Act 1993, the House was repeatedly assured that Railtrack would remain a publicly owned company for the foreseeable future. Many quotes are available to prove that point, but I will give the House only two today. The then Secretary of State, the right hon. Member for South Norfolk (Mr. MacGregor), speaking on Second Reading, said:

"Outright privatisation of all the railway is not on the agenda for the foreseeable future, not least because subsidy from the taxpayer is needed, and we have made it clear that we shall continue to provide that."—[*Official Report*, 2 February 1993; Vol. 218, c. 160.]

The then Minister of State, the right hon. Member for Kettering (Mr. Freeman), speaking in Committee, said:

"Railtrack will be in the public sector for the foreseeable future".—[*Official Report, Standing Committee B*, 23 February 1993; c. 400.]

That assurance was repeated time and time again during the passage of the Railways Act 1993.

I am sure that all hon. Members will agree that rail privatisation with the core of the system remaining publicly owned is very different from privatisation with Railtrack as a private company. It is fair to say, therefore, that Parliament was misled about the Government's intention when the Railways Act 1993 was passed.

It is because we believe that the privatisation of Railtrack is deeply damaging to the national interest that we have arranged today's debate. We are aware from the Save Our Railways poll taken some months ago that, when Tory Members of Parliament were asked anonymously whether they supported rail privatisation, 20 per cent. of them said that they were opposed to it. The challenge to them today is to vote for what they know to

be right, and to vote for the national interest. It will be very interesting indeed to see the strength of their consciences.

Northern Ireland is also threatened with rail privatisation, although it is on a slower track than that of the rest of the United Kingdom. Rail privatisation will obviously damage the transport system in Northern Ireland, and it will be very interesting to see how hon. Members representing constituencies in Northern Ireland vote today.

Before going any further, I should like to say a word about tax. The cost of privatising the railways amounts to an extra £106.38 for every taxpayer in the country. That is equal to an extra 1p on the basic rate of income tax. Those who are concerned to reduce taxes should therefore vote with us to halt the sale and save the taxpayer a lot of money.

Mr. Den Dover (Chorley) *rose—*

Ms Short: I shall not give way on that point.

The costs of privatisation to the taxpayer are shockingly large. It cost the taxpayer £1 billion to prepare British Rail for privatisation. That was one-off spending, but surely the money would have been better spent improving the west coast main line, which is my line and which is falling into ever greater disrepair and becoming more unsafe and unreliable. On top of that, it is costing the taxpayer an extra £850 million every year to run the privatised structure, which is less efficient and more costly than the old British Rail. In other words, the taxpayer is paying more for a lesser service.

Under the privatised structure, the taxpayer is expected to pour £2 billion every year into the top of the system. That trickles down, providing profits for all 100 companies that British Rail has now become, but there is no accountability to the public for the expenditure of that money and no return on taxpayers' investment. As the right hon. Member for South Norfolk said when he uttered the words that I cited earlier, that is a ridiculous set of arrangements.

If we consider specifically the cost of the sale of Railtrack, we come across other major problems. There has been a big fattening up and a creation of sweeteners to get the company sold at any price, no matter the cost to the taxpayer or the damage to our railways. Thus, a company whose modern equivalent value is £6.5 billion is to be sold for an estimated £1.5 billion, which is disgraceful in itself.

In order to get the company sold, £1.46 billion of debt—money owed to the taxpayer—has been written off. An unprecedented £69 million of profits earned while Railtrack was owned by the public is to be given to shareholders who have not yet even bought a share. Nevertheless, that money is being prepared for them. Big bonuses are on offer to the top six executives if they manage to maximise short-term profits. That is the opposite of what rail needs—rail requires long-term thinking and long-term investment.

I am afraid that the damage of Railtrack privatisation goes even further. To get the company sold, track access charges have been set very high. Thus, it costs £170,000 a year in track access charges alone to put one passenger coach on the railways. That compares with £300 to £450 in vehicle excise duty for a coach on the roads. To get Railtrack sold, the costs of using rail have been set so high that there will be no expansion of rail use under the privatised structure. Given the current projections of congestion on our roads, we must get more passengers and freight on to the railways to keep the country moving and breathing in the future. Under the arrangements in place, that cannot be done.

Although the Government babble about increased investment under privatisation, the reality is that the prospectus makes it clear that there is no expectation of growth in the use of rail under the proposals. Page 29 of the prospectus states:

"Railtrack's passenger access income is unlikely to benefit materially from any increase in passenger use".

Page 30 of the pathfinder prospectus states:

"The opportunities for expanding rail freight operations are limited."

There we have it; they are the real intentions.

Mr. Dover: I am sure that every hon. Member will join the hon. Lady in wanting more passenger and freight movement on the railways, but, after 20 or 30 years of falling passenger and freight rail movements under the nationalised system, what formula has she for increasing them?

Ms Short: We will increase the amount of freight and the number of passengers on the rail network by ensuring that there are higher levels of investment and better quality, more reliable and faster services—the opposite of what is occurring under the privatisation process.

The Secretary of State for Transport (Sir George Young): I am interested to hear the hon. Lady's commitment to higher levels of investment: where will it come from?

Ms Short: We have made it clear to the Secretary of State and to others for a long time that we are interested in mobilising public-private partnerships. My right hon. Friend the Member for Kingston upon Hull, East (Mr. Prescott) made that recommendation as shadow transport spokesman in order to secure more investment in the rail network. That is occurring in other countries, and it should happen here also.

In addition to the terribly high track access charges that will prevent expansion in rail use, another major worry with the sale of Railtrack is that it controls much valuable land: stations are situated on valuable commercial land at the centre of every town and city in this country. There is a real danger that a Railtrack interested in maximising short-term profits will seek to misuse land that is needed for rail development in order to make a quick profit. That would constitute a major breach of the national interest.

I turn now to the reports in today's press about the serious leak yesterday of the letter from the chairman and chief executive of British Rail, Mr. Welsby—a Tory appointee. He wrote to the permanent secretary of the Department of Transport complaining that the prospectus is significantly misleading. That is a very serious allegation. The issue involves the penalties that Railtrack is required to pay if it fails to keep its agreements with other railway operators.

[Ms Short]

Page 41 of the prospectus explains:

"at present performance levels, Railtrack will be making significant net payments to the train operators".

It goes on to say that Railtrack will have to make those penalty payments to train operators for things that are outside its control, such as severe weather, as well as for things within its control, such as industrial action. The prospectus states that Railtrack has been allowed an additional £75 million per year in access charges in order to cover what it might have to pay out in those circumstances.

Page 41 of the prospectus explains that the company directors, having assessed what improvements they can make to Railtrack's performance, still

"do not believe these improvements will be sufficient to match"

the amounts allowed for penalty payments in the Government's figures. That is a very serious point when considering the company's viability.

At the top of page 42—hon. Members may wish to check it—the prospectus says that, under the arrangements, a single day's cessation of train services will cost Railtrack about £12 million. According to my rudimentary calculations—the sum is not difficult: even Conservative Members could do it—Railtrack has enough money put by in the £75 million allowance for fewer than seven days' loss of services. In summer 1994, services were lost for 18 days.

After the first seven days, every additional day's lost service will cost Railtrack £12 million out of its profits. The big question is: how long could Railtrack last in those circumstances? Are Mr. Horton's management skills considered so great that he can do now what he signally—if I may use that word—failed to do in 1994?

Railtrack's profit last year, as stated on page 63 of the prospectus, was £189 million before tax. If one adds to that the whole £75 million additional penalty allowance, I calculate that Railtrack's annual profit would be wiped out in 22 days.

But the position is far worse than that. Page 66 of the prospectus shows that last year, with no days of complete cessation of train services, Railtrack still paid £80 million in penalties—that is £5 million more than the £75 million that is allowed for. If one assumes that the allowance is used up by ordinary disruption—as it was last year—Railtrack's profit would be extinguished altogether after fewer than another 16 days' lost train services. That is a very serious matter.

When the chairman of the British Railways Board—I remind the House that he is a Tory appointee—writes to the permanent secretary to the Department of Transport complaining that "material information for investors" on a desperately important subject has been left out of the prospectus, the country can see for itself that the Government, who have been consistently tainted by sleaze and underhand dealings, are prepared to sell Railtrack on a false prospectus.

I am conscious that the Government are keen to shift attention from the damage that they are doing to the railways to what Labour will do about it, assuming that we win the next election. I have said before that it is rather like a vandal who is about to destroy a monument saying to the caretaker of that monument, "Tell me how you will restore the monument after I have destroyed it." The answer is simple: do not destroy the monument. How dare the Government ask us what we will do to put right the destruction that they are imposing on the nation?

Mr. Andrew Robathan (Blaby): The hon. Lady will be astonished to discover how much we agree about encouraging passengers and freight back to the railways. However, she described British Rail as a monument. Although some people are working very hard to encourage people on to the railways, unfortunately British Rail is a monument to the uselessness of a nationalised industry.

When the hon. Lady and I were born, there were 15 railway stations in my constituency. They have all been closed by nationalised British Rail. In the hon. Lady's constituency, there used to be a railway line from Handsworth towards West Bromwich, and from the centre of Birmingham near New Street station past Winson Green. Those lines were closed by nationalised British Rail. How can the hon. Lady describe British Rail as a monument?

Ms Short: The hon. Gentleman will be interested to know that we are about to build a metro on that line, which runs through my constituency. That will be a lovely advancement of public transport provision for Birmingham and my constituency, and we look forward to it very much indeed.

I agree with the hon. Gentleman that the old British Rail was far from perfect, and that we need a higher quality model to achieve the levels of investment and the use of the railway to meet future needs; but it is absolutely clear that the old British Rail was better than the privatised model. That is proved by the fact that, each year, the Treasury has had to find an extra £850 million to provide lesser services from the privatised model than we had under British Rail. If something is imperfect, we should not make it worse; we should try to develop something better.

We in the Labour party are keen to be absolutely clear and straight with anyone contemplating investment in Railtrack. In my Swindon speech, which is printed in full in the prospectus, I set out our intentions. We want to be straight with all potential investors about the intentions of an incoming Labour Government.

I shall not dwell on those plans today, because today's aim is to halt the sale, but we have made it clear that a Labour Government will use all the levers at their disposal. We shall use the power of regulation, the power of the £2 billion subsidy, and the power to acquire ownership to reintegrate the railways under a renewed British Rail and to mobilise public and private partnership to increase investment in rail and secure the increase in passenger and freight use that the country needs.

I should say something about regulation, because many of the commentators on my Swindon speech missed an important point. We want all potential investors to be clear about our intentions.

The power of regulation over the railways is significant. The Rail Regulator is more powerful than any of the other utility regulators and his reach into the heart of Railtrack's business is far deeper. The powers exist now, and they will be useful to the new Government.

The existing mechanisms give the regulator considerable powers to secure changes to the regime as it applies to Railtrack. They do not require negotiation with Railtrack or its agreement; they can be effected, if necessary, against the wishes of Railtrack. Those changes may be made to alter Railtrack's obligations, and thus its priorities, in order to achieve the objectives of the public interest rather than those of the shareholders.

To place our hands directly and securely on those powerful levers of control and immediate change, we shall need only a simple amendment to the Railways Act 1993—to make the Rail Regulator answerable to the Secretary of State, and therefore the public interest, to a far greater extent than is now the case.

When that has been achieved, the new Labour Government will have at their disposal all—or substantially all—the means to control the economic behaviour of Railtrack in significant areas. Those include the direction of Railtrack's investment spending, controls on its access charges, restrictions on the disposal of its valuable land assets, and the possibility of a clawback on substantially all its property disposal income. I ask potential investors to look carefully at what I said about regulation in my Swindon speech, because the use of regulation to protect the national interest will change the likely rate of return to shareholders.

There it is. The sale of Railtrack will be deeply damaging to the national interest and terribly costly to the taxpayer.

Mr. Andrew Rowe (Mid–Kent) *rose—*

Mr. John Home Robertson (East Lothian): He is going to join the Labour party.

Mr. Rowe: As Madam Speaker said earlier, one should not believe everything one reads in the newspapers.

Will the hon. Lady explain whether the powers that she proposes to take over Railtrack will return to profitability the company that she has just portrayed as certain to lose money?

Ms Short: The powers that I described are intended to be used to ensure that Railtrack serves the national interest, and does not seek to maximise short-term profit and damage the national interest. The powers will be used to get more investment in rail and to develop greater use of rail, which is what this country's future and its transport needs require.

Mr. Nick Hawkins (Blackpool, South): Will the hon. Lady explain why she is so proud of nationalised British Rail when, particularly under the last Labour Government in the 1970s, BR was not merely a national but an international joke?

Ms Short: That was not a terribly impressive joke, either. I do not know whether the hon. Gentleman was listening when I answered the hon. Member for Blaby (Mr. Robathan).

The old British Rail was not perfect, but the privatised structure is worse. An incoming Labour Government will create something better. If the hon. Member for Blackpool, South (Mr. Hawkins) supports the Government tonight, he will be helping to create something massively more costly and massively worse than the old British Rail. Conservative Members must face that fact.

I was saying that the sale of Railtrack will be deeply damaging to the national interest and terribly costly to the taxpayer. The privatised structure will also prevent any expansion in rail use. It is in the national interest that the sale be halted. If it is not, we are confident that an incoming Labour Government can reintegrate rail, and mobilise higher levels of investment and use. We will do that, but the present Government must take responsibility for the damage and the waste of taxpayers' money that they are causing now. The House has the opportunity today to stand up for the national interest. I hope that that opportunity is taken.

4.12 pm

The Secretary of State for Transport (Sir George Young): I beg to move, to leave out from "House" to the end of the Question and to add instead thereof:

"congratulates the Government on the progress that it is making with privatisation, with the franchising in the last three weeks alone of the InterCity East Coast, Gatwick Express and Network South Central lines, offering the prospects of better services and higher investment at less cost to tax-payers; recognises that this demonstrates that the Opposition's attempt to halt privatisation has failed; and looks forward to the flotation of Railtrack in May as a golden opportunity for the railways to gain access to the private finance necessary for investment, and for people to become real stakeholders in the railways, thanks to the Government's policy of wider share ownership".

How relieved we are that the hon. Member for Birmingham, Ladywood (Ms Short) has been allowed to open the debate and give her overworked deputy a much-needed break. After the events of the weekend, we were concerned that the shadow Home Secretary might have dreamt up some new and terrible punishment for the hon. Lady. I quote the words of a senior Blair aide in *The Guardian* today:

"She accepted that she has screwed up big time."

Ms Hilary Armstrong (North–West Durham): Will the Minister give way?

Sir George Young: No, because I would like to cover a little of my journey before I pick up my first passenger.

Even the mild-mannered Opposition Chief Whip was obliged to pick up his pen to write an article that also appeared in *The Guardian* this morning. He used politer language, but none the less delivered a public rebuke under the trendy headline, "Don't rock the roll". We only wish that this debate could take place at 8 am on Sunday, as that is when the hon. Member for Ladywood speaks without restraint.

Ms Armstrong *rose—*

Sir George Young: I shall give way in a moment.

Many Conservative Members can remember the days when Labour Members might have been criticised for suggesting that taxes on middle incomes should be cut. Not long ago, Labour voted against such reductions on a three-line Whip.

Mr. Peter Hain (Neath): On a point of order, Madam Speaker. Could the Secretary of State advise the House what on earth his speech has to do with the subject that we are discussing?

Madam Speaker: Order. The Secretary of State should be allowed to develop his speech. He has been on his feet for only one minute.

Sir George Young: The hon. Member for Ladywood spoke briefly about tax at the beginning of her speech. I remind the Opposition that Labour's former deputy leader, another distinguished Birmingham Member of Parliament, said:

"Labour now has a clear choice. It can be either the party of higher taxation and proud of it, or the party of higher taxes which it is ashamed to describe, afraid to admit and incapable of calculating with any accuracy. It cannot be the low taxation party."

Those are the words of a former deputy leader of the Labour party.

Ms Armstrong: Does the Secretary of State think that it was the press that gave the real comment on Tory tax policies this weekend? Was not it the electors of South-East Staffordshire?

Sir George Young: I now regret having given way on that point. [HON. MEMBERS: "Oh."] The criticisms of the hon. Member for Ladywood have not come from Conservative Members: they have come from the Labour leader's office. It is absurd for the hon. Lady to be criticised for articulating a belief that united Opposition Members when they joined the Labour party. One can but contrast the way in which the leadership embraced and protected the hon. Member for Peckham (Ms Harman) for sending her son to a grammar school and silenced the hon. Lady.

Mr. Andrew Faulds (Warley, East): On a point of order, Madam Speaker. Some of us are somewhat bored with this dissertation on other matters. Could we revert to the topic of the debate?

Hon. Members: Hear, hear.

Madam Speaker: Order. I see the amendment standing in the name of the Prime Minister. We have had a good bit of knockabout and now perhaps we might revert to the amendment.

Sir George Young: I conclude my opening remarks by saying that the hon. Member for Peckham was endorsed for acting like a Tory and the hon. Member for Ladywood was rebuked for speaking like a socialist.

I welcome the opportunity presented by the debate for three reasons. First, I wish to remind the House why the Government believe that their policies for the railways are the right ones to reverse decades of decline. Secondly, now that we have made further progress with those policies—drawing in private sector funds to complement those of taxpayers, attracting into the industry fresh skills and talents to work alongside those already there and restructuring the industry so that it focuses more clearly on its customers—we can stand back for a moment, look at some of the fears that have been expressed, including some of those mentioned by the hon. Member for Ladywood, see whether they are justified and examine the achievements to date. Thirdly, I wish to contrast the clear vision that we have of tomorrow's railway, and our resolution to secure it, with the muddled, divided views of the Labour party and the trade unions that support it and the vagueness of their purpose. Then I wish to ask the House who is more likely to deliver the expanding, confident, well-resourced railway that the whole House wants to see.

Mr. Denis MacShane (Rotherham): Will the Secretary of State give way?

Sir George Young: In a moment.

Which is more likely to deliver? Is it a party that opposes privatisation and thereby denies Railtrack access to fresh funds and, at the same time, refuses to make similar funds available from the public sector? That party offers no future to the railways.

Mr. MacShane *rose—*

Mrs. Alice Mahon (Halifax) *rose—*

Mr. Bruce Grocott (The Wrekin) *rose—*

Sir George Young: I shall give way to the hon. Member for—

Madam Speaker: Halifax?

Sir George Young: No, to the hon. Member for The Wrekin (Mr. Grocott).

Mr. Grocott: If the Secretary of State is determined to persist with the sale of the land and assets of Railtrack, which currently belong to my constituents, to me and to the whole of the population of this country, against our wills, can he at least tell us when we shall each receive the cheque for the sale of our assets and how much it will be?

Sir George Young: The hon. Gentleman knows that Railtrack will be sold at the end of May. There will be a receipt for the taxpayer that goes into the Exchequer. He also knows that under a privatised railway, the costs of funding investment will no longer fall on the taxpayer. They will fall on the privatised railway. I hope to show that investment in the railway will increase at a faster rate than if it had remained in the public sector. That is the kernel of the case for privatisation.

Dr. Robert Spink (Castle Point): Will my right hon. Friend confirm, in setting the context of the debate, that the five franchises that have so far been let will all be run at a lower cost by those who have taken them than the cost at which British Rail runs them, and will all provide better services for my constituents?

Sir George Young: I hope to make exactly that point.

Several hon. Members *rose—*

Sir George Young: No, I shall not give way. I want to make some progress. I shall not give way for the time being.

Mr. Home Robertson: I want to be helpful.

Sir George Young: Even with that kind offer, I am not giving way to the hon. Gentleman for the moment.

When the House voted the Railways Bill on to the statute book in 1993, it took a decisive step to reverse the historic decline of the railways. That decline, as my hon. Friend the Member for Blaby (Mr. Robathan) said in an intervention, had seen the industry's share of the market shrink from 17 per cent. in 1953 to 5 per cent. now. Its share of the freight market had dropped even more dramatically. The era of nationalisation was marked by poor industrial relations, low productivity, rising fares and an attitude towards passengers and freight business that was often patronising. It is hardly surprising that those users stayed away.

The old railway was a monolithic, monopolistic, slow-moving nationalised industry, which never had the inclination or the initiative to focus on the needs of its passengers and freight users. Yet it was an industry full of talented and committed people, shored up with vast quantities of taxpayers' money.

How did the industry fail? It failed because it was insulated from commercial pressures. It failed also because, as a public monopoly, it never had to confront long-term competitive challenges from other forms of transport. Similarly, it failed because it looked inwards at itself, not outwards towards its market, both passengers and freight. Taxpayers' money went into the industry and disgruntled users came out.

British Rail failed to recognise the golden rule of service industries: the customer is king. There were several attempts to solve the problem by throwing money at it. But cash alone could not and cannot halt the railways' downward slide. The basic problem was structural rather than financial.

Mr. Robathan: My right hon. Friend will have heard British Rail compared recently with a monument. To what does he think British Rail would be a monument?

Sir George Young: It is a monument to post-war public industry, a monument that is now out of date. There are better ways of running our railway system than having it as a monument. Our policy, as set out in the Railways Act 1993, was directed to the problem for the first time. Its basic message was that the railway system could revive its fortunes only if it were given commercial incentives to win back passengers and freight. The policy built on the successes of previous privatisations, from British Telecom to British Airways. It adapted the main features of those privatisations to the unique circumstances of the railway industry.

The Act brought in a new era, in which private sector dynamism could replace years of public sector stagnation. It introduced a new regulatory system to protect the public interest. It represented a recognition that investment in a publicly owned body would always have to compete with investment in health and education. By placing the railways firmly in the private sector, we would be able to free investment from that constraint.

Mr. MacShane: In the wonderful world that the Secretary of State is describing, why is the franchising director saying that the number of services to Doncaster from London will be cut by half under privatisation? That is a deplorable attack on the business community in South Yorkshire.

Sir George Young: The hon. Gentleman has confused the passenger service requirement with the level of service that emerges at the end of the franchising process.

Our policy recognised that other transport operators—ferries, buses and airlines—might have skills that could help regenerate an important but declining industry. That was the philosophy behind the 1993 Act. Nothing has happened in the past three years to challenge either our analysis or proposed solution.

I now come to the progress to date. We have been fed a constant diet of scare stories on rail privatisation by the Opposition, and by others: that fares would escalate; services would be cut; investment would fall; the railways would be less safe; people would not bid for the franchises; the Labour party would stop the flotation of Railtrack; and, if it did not, no one would want to buy the shares. I shall go through those accusations and contrast the rhetoric with the reality.

Passengers were told that their services would be cut. The fact is that the franchises awarded so far are all based squarely on existing levels of service. South West Trains has already introduced new co-ordinated bus links to rail stations and embarked on a £3 million programme of improvements to station and passenger facilities such as security, lighting, waiting rooms and information services. It also plans to improve business travel services, to offer new concessions for senior citizens and to restore or expand services to Epsom, West Croydon, Southampton and Salisbury.

Great Western plans to introduce more trains, faster journey times, refurbished rolling stock, a Motorail service between London and the west country, new bus links to rail services, increased capacity for bicycles and a radically improved telephone inquiry service. London and South Coast, which won the Network South Central franchise, plans to introduce new services in south London.

The Gatwick Express franchisee has similar improvements planned: a better passengers charter, new off-peak discounts, and on-board check-in facilities for club class passengers.

Mr. David Chidgey (Eastleigh): I thank the Secretary of State for giving way, as he flashed through my region so fast that I could hardly catch his eye. I refer him back to South West Trains. As some constituency examples have already been given, I hope that he will bear with me. Is he aware that the 8.50 train from Waterloo to Poole, which should have passed through Eastleigh this morning at approximately 9.30, was, unfortunately, mistakenly signalled on to the Salisbury line? One does not have to be a railway buff to know that the line from Waterloo to Weymouth, which goes through Poole, is electrified. The line to Salisbury is not. So, consequently, the train ground to a halt just west of Basingstoke, where the staff on the train led passengers to safety by torchlight. Is that the new, modern railway that the Secretary of State talks about?

Sir George Young: The crucial difference between the new regime and the old is that, under the old regime, there would have been no commercial penalty on British Rail whatever. Under the new regime, there are financial incentives on Railtrack and on the franchise operator for trains to run on time. For the first time, we have a

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commercial structure that will reward operators that run trains punctually and penalise those that do not. That incentive never existed with British Rail.

Mr. David Tredinnick (Bosworth): Will my right hon. Friend give way?

Sir George Young: I shall give way once more, but then I must make some progress.

Mr. Tredinnick: Is my right hon. Friend aware that some of the improvements that Great Western proposes were also proposed by the Great Western Railway in 1946, but were never implemented while the industry was nationalised?

Sir George Young: My hon. Friend makes a powerful case for the reinvolvement of the private sector in the railways, and I am grateful to him.

Passengers were also told that they would lose key network benefits, but the fact is that through tickets, discount cards for the young, the elderly and disabled people, impartial sales information and the telephone inquiry network are legally safeguarded as a result of privatisation. We were then told that franchising would drive up fares. The fact is that for the first time ever, as an integral part of privatisation, key fares such as saver tickets and standard weekly seasons have been capped. They have been pegged to inflation since January and will begin to fall below inflation in just over two years. Contrast that with a real increase of 22 per cent. under the previous Labour Government.

Everyone has been told by the Opposition that investment would fall off once services were franchised. The fact is that each of the new franchisees plans new investment in the network: refurbished rolling stock, upgraded passenger security and better facilities for disabled people. The National Express group, which will run the Gatwick Express service, plans to have completely new rolling stock by 1999. Great Western will refurbish its entire fleet of high-speed trains. The franchisee on the InterCity east coast line plans to spend more than £17 million on service enhancements, including £7 million on improvements to the reliability of the class 125s, new passenger lounges and passenger security.

Ms Armstrong *rose—*

Sir George Young: I shall certainly not give way to the hon. Lady again. It is nothing personal.

The Network South Central franchisee, London and South Coast, will spend a further £10 million over the next three years on improvements to rolling stock and stations.

Ms Glenda Jackson (Hampstead and Highgate): Will the Secretary of State give way?

Sir George Young: Not now; I might do so later.

I am pleased to be able to tell the House that the franchising director announced today that shortlisted bidders for the South Eastern franchise would be asked to bid on the basis of a 15-year franchise, and that their proposals should include the replacement within three years of all 83 of South Eastern's class 411 units, most of which are concentrated on the Kent coast line.

Mr. Rowe: Has my right hon. Friend any idea of the number of occasions on which Kent Members have either visited or written to the directors of British Rail demanding the upgrading of rolling stock? Does he realise how much glee will greet one of the first fruits of privatisation—the fact that the rolling stock that British Rail consistently refused to give us has now been promised?

Sir George Young: My hon. Friend's prayers have been answered. I know that he and many other Kent Members, some of whom are present—my hon. Friend the Member for Dover (Mr. Shaw) is not; he is in a Select Committee—will welcome this afternoon's announcement by the franchising director.

Ms Short: The trouble is that reality is completely different from the promises that are made. Can the Secretary of State explain why, if there are so many new orders, there has been a massive slump in investment? The ABB carriage works in York have closed, and all the rail manufacturing companies are laying off skilled workers and are desperately concerned about their future. Reality is not as the Secretary of State describes it.

Sir George Young: The key difference between the hon. Lady and me is that I am able to make an announcement that will have no impact on public expenditure. The hon. Lady can make no such commitment, because she is committed to public sector procurement, and her hon. Friend the Member for Dunfermline, East (Mr. Brown) will not allow her to make a commitment such as the one that I have just made to the House.

Mr. Bob Dunn (Dartford): My constituents—Kent commuters—will benefit enormously from my right hon. Friend's announcement. The county of Kent has battled long and hard. When does my right hon. Friend expect the new trains to be in service?

Sir George Young: They will be available within three years. I am delighted that the private sector has been able to provide what the public sector could not.

Mr. Hugh Bayley (York): Will the Secretary of State give way?

Sir George Young: No. I want to make some more progress.

The franchisee will also be required to put forward proposals to replace all the remaining 95 units of slam-door rolling stock. That will mean that, together with the new Networkers already operating on the inner suburban services, South Eastern will have a completely updated fleet. As we have just heard, my hon. Friends who represent the people of Kent have argued for many years that more rolling stock investment is needed on their rail services, and franchising will give them that investment.

We have sold the three passenger rolling stock leasing companies to increase the possibility of new and refurbished rolling stock. In the short time during which they have been in the private sector, one of those companies, Angel Train Contracts, has announced a £400 million funding facility for new train building and refurbishment. In addition, on 2 April Porterbrook Leasing announced a £75 million-plus programme of refurbishment to its mark III fleet, which is good news for service on mainly the cross-country, midland main line and west coast main line.

We were told that franchising would cost taxpayers more. In fact—as my hon. Friend the Member for Castle Point (Dr. Spink) implied—the first five franchises alone will be funded in the private sector, by year seven of the franchises, to the tune of £95 million, compared with British Rail's current £300 million. That is over one third of the franchises costing taxpayers over two thirds less. GNR even plans to need no subsidy at all by the end of its franchise. The Gatwick services will pay taxpayers a growing dividend year by year. By any standard, that represents a huge reduction in the cost to taxpayers of running rail services. If savings on that scale are repeated throughout the country, in a few years, the subsidy bill for the railways will be reduced substantially.

Mr. Hawkins: Does my right hon. Friend agree that what he has just said once again shows the success that this privatisation will be, in taking the burden away from the taxpayers, producing profits for them and improving services, just as the privatisations of British Telecom and British Airways did? Does he also agree with my prediction that very shortly the Labour party will realise how successful and popular privatisation is, as it did with British Telecom and British Airways, and its policy will change such that it will claim that it was its idea all along?

Sir George Young: We might have to wait a year or two before that flash of inspiration. My hon. Friend is right. Not only will privatisation reduce the cost to taxpayers, but it will improve services and there will be more investment by the franchisees. So it is a win-win situation.

We were told that safety would be jeopardised by privatisation. Railways continue to be the safest form of land transport. The independent Health and Safety Commission has confirmed that there is no evidence of any overall decline in health and safety standards since Railtrack was set up. Indeed, recent statistics show some improvement in safety standards. In 1994-95, the number of significant rail accidents fell and total fatalities on the network, excluding trespassers and suicides, fell to their lowest ever level.

Railtrack has made it clear that safety is its first priority. It is in the company's commercial interests to provide demonstrably safe service to attract and retain customers. British Airways' move to the private sector has not compromised safety. I should make it clear once again that I am not complacent about safety. I expect it to remain the paramount concern of everyone in the rail industry.

Mr. Tam Dalyell (Linlithgow): The Secretary of State will know that the Health and Safety Executive has published a report on the Forth rail bridge, the south end of which is in my constituency. Paragraph 100 of its report says:

> "While the general condition of the bridge does not give rise to immediate concern in respect of its carrying capacity, some members have suffered a loss of section due to corrosion to an extent which makes repair or replacement necessary as part of a planned maintenance strategy."

Apart from the fact that the bridge is the greatest monument to 19th-century civil engineering anywhere in Europe, the entire question of the railway system north of the Forth should be addressed. Will the Minister who winds up give a considered answer about how the Government view the financing of the work that the Health and Safety Executive thinks is of great importance?

Sir George Young: I shall certainly see that my hon. Friend the Minister gives the hon. Gentleman the considered reply for which he has asked. As I am sure the hon. Gentleman knows, the HSE report confirmed that the bridge is safe. Railtrack fully accepts that the bridge requires a thorough maintenance regime and it is fully committed to the HSE recommendations.

We were also told that Labour would stop privatisation. It said that it would stop us in the Division after Christmas; it has said that it will stop us today, and it will be wrong again.

Then we were told that nobody would want to buy shares in Railtrack. On Monday, we published the pathfinder prospectus, announcing the sale of substantially all the Government's shares in the company and giving details of the first instalment—

Mr. Brian Wilson (Cunninghame, North) *rose*—

Sir George Young: I should like to finish this paragraph before giving way to the hon. Gentleman, and then I must make some progress. We also gave details of the timetable. Further pieces of the jigsaw will be put in place over the next two weeks, culminating in the publication of a price-ranged prospectus on 1 May. The public will then have another two weeks to apply. We expect the start of dealings on 20 May. One million prospective shareholders are now registered with share shops. They are ordinary investors like all those who have followed and supported the Government's programme of privatisations since we took office, which is why there are almost 10 million shareholders compared with fewer than 3 million in 1979.

The Daily Telegraph reported yesterday:

> "One of the largest stockbrokers in the country, Sharelink, said the number of people registering for the sale next month was already twice its expectation".

So much for the Labour party's claims that the public are not interested in the privatisation.

Mr. Wilson: My hon. Friend the Member for Birmingham, Ladywood (Ms Short) referred to the letter that the chairman of British Rail sent to the permanent secretary at the right hon. Gentleman's Department on 2 April, which stated categorically that the prospectus was deficient and misleading in many highly significant and influential respects. Since then, no alteration has been made to the prospectus. As the chairman of British Rail and the prospectus cannot both be telling the truth, does the Secretary of State agree that a stock exchange inquiry is required to find out the truth?

Sir George Young: Certainly not. Mr. Welsby was responding to a request from my Department as part of

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the process of writing the prospectus. We received a comprehensive response from British Rail, which has been considered carefully as part of the process of finalising the prospectus. For example, the prospectus now contains a full statement by the Rail Regulator, setting out his views on investment. Railtrack has addressed British Rail's specific concerns on the west coast main line modernisation. The directors of Railtrack Group plc have a duty to ensure that, to the best of their knowledge and belief, the information in the prospectus is in accordance with the facts and contains no material omissions. I am confident that the prospectus issued on 1 May will fully satisfy those requirements.

Rail staff will also benefit from share ownership. Railtrack's staff will be offered special share offers, such as free shares, up to £500, plus more for each year of service, and discounts of 20 per cent. Great Western last month offered more than half the shares in the company that won the franchise to all its staff. Those on offer were priced at 50p with a minimum stake of £100, and the company is so keen to encourage its staff that it is matching the first 200 shares purchased. That is what Conservative Members call real stakeholding.

I am sure that many trade union members, who sponsor so many Opposition Members, will take up those offers. As *The Guardian* put it yesterday,

"For those prepared, however, to put the moral outrage to one side and consider Railtrack's possibilities in the private sector, the prospects could be quite alluring. It is a classic utility business with possibilities for ratcheting down costs through new technologies such as modern signalling systems; ending Spanish practices in the labour force and outsourcing some services. Who knows, Railtrack, like another transport firm British Airways, could well prosper in the private sector."

Mr. Keith Hill (Streatham): Will the Secretary of State give way?

Sir George Young: I shall give way one more time, and then I propose to make progress.

Mr. Hill: I presume that the Secretary of State is an enthusiastic fan of the £69 million flotation sweetener out of the so-called "profits" of Railtrack. Can he inform the House where those profits have arisen from? Is he aware that, last year, Railtrack salted away £150 million out of its maintenance programme? That money, which should have been spent on maintenance, is now being distributed to potential shareholders. Will not the motto of Railtrack in future be, "Putting profits before passengers"?

Sir George Young: The hon. Gentleman knows that Railtrack is heavily regulated, and has been told by the regulator to reduce the access charges that it charges the train-operating companies. The companies will be operating within a tough regulatory regime. No money is "salted away", to use his expression—that money is needed to invest in, modernise and improve the nation's railways. The existence of the dividend will impact on the value of the shares when they are floated, so that the interests of the taxpayer will be fully safeguarded.

Sir Michael Grylls (North–West Surrey): Will my right hon. Friend be gentle with the Opposition, as this is a sad day for them? They are seeing the last of the great state corporations demolished and returned to the private sector. He should be sensitive, if I may say so. It is a happy day for the traveller, but a sad one for the Labour party.

Sir George Young: Even sadder is the fact that Labour cannot give a commitment to buy it back, and I shall say a word about that in a moment.

Having disposed of some of the myths, let us look at the reality. Nearly half the rail industry—some £4 billion-worth by aggregate turnover—has been transferred to the private sector. That is made up of 51 businesses, including the five franchises that we have awarded so far. We have sold the three rolling stock companies, as the press has reported, for £1.8 billion. We have made good progress with the sale of BR's freight businesses. Rail Express Systems and the trainload freight companies have been bought by North and South Railways, a consortium led by Wisconsin Central Transportation. Wisconsin has a wealth of railway experience from around the world and will bring new ideas and successes to rail freight in Britain. It has plans to invest heavily in new locomotives. In the private sector, those businesses will have commercial incentives to win freight traffic from the roads.

The public want an improved railway service, and the key to that will be the sustained programme of expenditure on the infrastructure that Railtrack intends to undertake. That expenditure amounts to some £9 billion at current prices over the next five years—a significantly higher level of expenditure than Railtrack has managed under the public ownership and public accountability so beloved of Opposition Members. In practice, that expenditure could not be achieved without substantial private sector finance. I believe that Railtrack's privatisation will unlock the barriers to that private investment in our railway infrastructure. Those are the facts.

Mr. Gordon Prentice (Pendle): Will the Secretary of State give way?

Sir George Young: No. I said that I had given way for the last time, and I meant it. I have given way fairly generously in the course of my remarks.

Let me return finally to the alternative—to the policy vacuum on the Labour Benches. Last winter, we were treated to the unedifying sight of the Labour party in search of a policy for rail. It was like a tank engine, going backwards and forwards in a goods yard. That culminated in the speech in Swindon last month by the hon. Member for Ladywood, purporting to explain Labour's ideas. That speech was an insult to a great railway town. If her doom-laden analysis of the railways is right, her solution is wholly inadequate. If it is wrong, her solution is irrelevant. Either way, her speech in Swindon was incoherent intellectually and financially.

The rhetoric of old Labour, with its party conference call for public ownership, sits uneasily with the so-called reality of new Labour and the avoidance of commitments. Its policy statement said much about the tensions in the Labour party, but very little about the needs of a modern railway. First, Labour Members talk of an integrated railway system. What do they mean by that? Under this

Government, we have increased the integration of the railways into other transport systems. We have opened new lines such as the Robin Hood line in Nottinghamshire. We have opened more than 200 stations, whereas under Labour more than 600 were closed. Thanks to the private train operator, South West Trains, we now have new bus services in Hampshire linking towns to those with train stations. That is what any sensible person would call an integrated transport system. And, of course, we are extending the rail network, and knitting it closer together, with Thameslink 2000 and the channel tunnel rail link, taken forward by a private sector company under our private finance initiative.

Then the hon. Member for Ladywood talks of a "reconstituted British Rail". There will not be much, if anything, left of British Rail to reconstitute by the time of the next general election. Much of what was British Rail Labour has agreed not to buy back. We have already got about £5 billion-worth of the old BR either sold or on the market, with the remainder following on apace.

Let us recall Labour's views on all this. It has already said that it will not break any contracts. That means that, even if Labour was in office, it could not renationalise the franchises, which could remain privately run, for the life of the next Parliament. It has also said that it would not buy back the rolling stock, the freight or the maintenance units. It is now in the absurd position of claiming to be opposed to the flotation of Railtrack, while at the same time refusing to say whether it would buy it back. Under a Conservative Government, it says that Railtrack must be publicly owned. But, if there were a Labour Government, it could remain privately owned. Where is the sense or logic in that?

Then the hon. Member for Ladywood promised tougher regulation. I wonder whether she has seen the article in *The Independent* on 15 April. Under the headline, "Labour to woo British Gas by scrapping regulator", we see a different line from the hon. Member for Leeds, West (Mr. Battle). The article says:

"He is keen to stress that those in his party who have what he terms 'a 1940s to 1960s mindset' will have their hopes of possible renationalisation dashed, and that it is crucial that the regulatory framework is simplified to make the companies' lives easier."

He is quoted as saying:

"I do not want them to be like Gulliver, tied down with millions of little ropes. That is the problem with over-regulation. Provided they maintain their social obligations the size of their profits is up to them."

The hon. Lady is promising more regulation, while one of her colleagues is promising less regulation of another former nationalised industry. It is small wonder that neither the travelling public—

Ms Short *rose—*

Sir George Young: I shall not give way to the hon. Lady as I have already done so—I have given way for the last time.

It is no wonder that neither the travelling public nor the City has taken much notice of the Labour party's rail proposals. Indeed, *The Sunday Times* reported last week:

"Labour's transport spokeswoman has huffed and puffed, but has failed to blow rail privatisation down."

A lot of people want to know about the Labour party's policies on fares, services, public subsidy and investment. The Labour party talks glibly of higher levels of investment, but it does not say where the money would come from—perhaps from higher taxes on Members of Parliament?

We are the only party with a clear strategy to bring more investment into the railways—from the private sector, not from the taxpayer. Perhaps the hon. Lady would rather have higher borrowing. Or would she do what Labour did before and close branch lines and stations? The hon. Lady clearly admires the French railways. I read a flattering article that appeared in *The Guardian* today, in which she stated:

"I have assembled a policy which will give us a better railway . . . It'll be like the French side of the Channel Tunnel".

I wonder whether she is aware that the French railways announced earlier this year that they are £27 billion in debt. Is that a model that we should seek to emulate? Perhaps her investment pledge would be paid for out of higher fares. The Labour party has never said what it would do about fares. Does the hon. Lady think that fares should be higher, to finance more spending on the railways? Or should they be lower, to encourage more people to travel by train? Or will she admit—as she has done with much of the rest of our privatisation policy—that we have got it about right? We hope to get an answer from the hon. Member for Cunninghame, North (Mr. Wilson), a man of less ambition than the hon. Lady—while she wants my job, he just wants hers.

I strongly believe that the railways should have a more important role in tomorrow's transport world, and I believe that our policies will secure that role. I have no confidence that the Labour party knows what to do with the railways. The Labour party is ashamed of its past, silent on its future and not fit to govern. I urge my hon. Friends to join me in voting tonight to ensure a better future for the railways, for taxpayers and for Britain.

4.51 pm

Mr. Tam Dalyell (Linlithgow): I shall concentrate on one narrow but desperately important aspect: the future of the Forth bridge. It is not just any bridge—it is the greatest monument to engineering of the 19th century. The whole railway network depends on the Forth bridge—to Fife, Dundee, Aberdeen, the North sea oil industry, Inverness and points north. This is not a trivial matter.

I am glad to have the Secretary of State's attention because I do not put this issue forward in a partisan way. I recall that it was action in the House that shamed the Health and Safety Executive and Ministers into having a report that was conducted under distinguished engineers. I shall make my points from the results of the report. My hon. Friend the Member for Midlothian (Mr. Clarke), the former Secretary of the National Union of Miners, Scotland, who knows a good deal about engineering, and my hon. Friend the Member for Cunninghame, South (Mr. Donohoe), who was a steel worker before he came to the House of Commons, and I were cautiously taken over the bridge by Paul Prescott, the director of Railtrack. One just cannot wander on to the bridge—the up trains and the down trains have to be stopped. We were treated most courteously in being taken over to see for ourselves.

I have loved the bridge since childhood and I was shocked by whole globules of paint coming off and by rust setting in—after all, rust never sleeps. I was shocked when I went up to the Jubilee, or South tower to examine the mess—which is called the guano in the report—in

[Mr. Tam Dalyell]

many of the nooks and crannies. It may be that no damage has been done yet, but cosmetic damage soon ceases to be cosmetic.

First, I shall concentrate on the condition of the bridge. The report states:

"Although some corrosion was found on the primary structure members, it was judged that the level of corrosion found was not significant in the structural analysis."

I do not want to be alarmist—and here I share the view of the Secretary of State—but

"The level of corrosion on some of the secondary members which brace the main structural members, was found to be higher with significant section loss having occurred. Although not critical to the present structural integrity of the bridge, these damaged members need to be repaired or replaced. Repairs of this nature have routinely been carried out to the bridge in the past."

The expression "being painted like the Forth bridge" has crept into the language but there is a problem. For 90 years, painting was done in the traditional way with slings. The hon. Member for Edinburgh, West (Lord James Douglas-Hamilton) will know that several families around South Queensferry, which he knows well, for generations devoted their lives to the maintenance of the bridge. The Marshall family of Dalmeny station lost both husband and son on different occasions in painting the bridge. A good deal of blood has been spent, not only by the builders but by the maintainers.

I am the first to say that the Health and Safety Executive was justified in introducing new regulations but, of course, they make maintenance of the bridge more difficult and more expensive than when it was done by the old ways. My reply is that, with modern materials—especially fibreglass materials—it should, with money, be possible to conduct that maintenance. I must impress on senior Ministers that once rust gets a grip of any of the major structures, heaven knows what the cost would be of repairing it or whether it could even be done. If ever a domino theory were to operate, it would be in that complicated structure.

Mr. Dover: Does the hon. Gentleman accept from me, as a civil engineer and Chair of the Select Committee that considered the Severn second bridge, that much more extensive repairs were necessary on the Severn bridge? They were done by Laing-Entrepose, a private sector UK-French joint consortium, at a cost of tens of millions of pounds which was obtained by charging river crossing tolls. That paid not only for the repair work but for a new crossing, which is to be handed back to the Government after 20 years. Is there any difference between that and what the Government propose for the Forth bridge? A privatised company will levy the Railtrack charges to make sure that the repairs are done more than effectively.

Mr. Dalyell: The hon. Gentleman rendered a service to the House in his studies of the Severn bridge. The Severn bridge is not unlike the Forth road bridge. I am told by Professor Paul Jowett of the department of engineering at Heriot-Watt university and some of his colleagues that it would be much easier to repair the Forth road bridge—and, therefore, a bridge of the Severn type—than it would be to repair a structure of the 1880s and 1890s, when techniques and materials were very different. Perhaps the hon. Gentleman will accept that it is a different problem. It is certainly an exceedingly expensive problem.

The report also referred to the problem of access to the tubes, which is through small inspection hatches. It continues:

"the tubes themselves are confined spaces. In the areas inspected by Pell Frischmann"—

the firm that carried out the work—

"the steel was found to be in good condition and it is considered that there is no significant corrosion inside the tubes. The inspection hatch covers were removed some time ago and, as a result, there is an accumulation of guano and other detritus which needs to be removed."

I gather that removal would be quite expensive.

I have a greater concern, which has arisen since publication of the report. Rightly or wrongly, Scottish Power had the idea of floodlighting the bridge. A number of holes had to be bored in the old structure to arrange for floodlighting. I have not seen the holes because access is impossible, but I am told by John Watson, the ferryman, who has an honourable record of campaigning for the maintenance of the bridge, and his successor Colin Aston that it is likely that rust is forming in the holes drilled for the wiring of the floodlights. Since I have this unexpected opportunity, I ask the Government formally to produce within a month or two at least some considered opinion from the Health and Safety Executive on that new development.

Paragraph 94 of the report continues:

"From the consideration of fatigue loading by Pell Frischmann, the HSE was satisfied that the structural integrity of the primary bridge structure was not being adversely affected by fatigue and a considerable fatigue life still remained. Any damage which was occurring was to the railway track supporting structure or to deck plates both of which are capable of being repaired."

In his reply, I want the Minister to make it clear who will be responsible for that work in the short term.

I am not in the habit of criticising individuals on the Floor of the House and I will certainly not criticise Paul Prescott, who is well known to Ministers, for saying so, but he told my hon. Friends the Members for Midlothian and for Cunninghame, North, "If money is available, you had better understand that the Forth bridge is my third or fourth priority. My top priority is the signalling system outside Bearsden and the bridge is rather far down the list". If that is Railtrack's view, given the HSE report, where do the Government think that the bridge should come in the list of priorities?

I will list a few of the HSE's conclusions.

Mr. Wilson: On the question of who is going to pay, will my hon. Friend join me in rejecting the idea that the Forth rail bridge, which has been maintained as railway property for generations, should become a monument to be financed, not by the railway authorities but by some organisation responsible for historic buildings and monuments, which is another idea that has been floated by Railtrack?

Mr. Dalyell: I do not want to be too personal, but my wife is a member of the Ancient Monuments Board and the Royal Fine Art Commission, which will certainly not have the resources. They do think that it is their job to finance out of their limited funds work that could be extremely expensive.

It has to be made clear to prospective purchasers of Railtrack that the organisation has the obligation of spending a great deal of money—we are not talking

peanuts—on the bridge over the next five years. That ought to be made clear in any prospectus. I must tell my hon. Friend the Member for Cunninghame, North that I hope that it will be made very clear that the financial obligation for the Forth bridge should be included in any prospectus put to prospective shareholders.

I do not want to abuse the time of the House, but I must draw the Minister's attention to the following recommendations. Recommendation 99 states:

"The condition survey revealed a significant deterioration in the paint coating on the bridge. A more satisfactory protective coating system to the traditional paint needs to be developed and the protection restored as part of a planned maintenance strategy."

Has Railtrack—and Bob Horton in particular—accepted that there will be a planned maintenance strategy such as that envisaged by the HSE?

When the Secretary of State courteously gave way, I raised recommendation 100, so we can take that as read and in *Hansard*. Recommendation 101 concerns the principal roller bearings. I am told by engineers—I think that the hon. Member for Chorley (Mr. Dover) will bear this out—that the bearings are crucial in the life of the whole structure. The HSE recommendation states:

"The principal roller bearings at the north and south portals do not appear to be functioning as intended and there is some evidence of past damage and repair. The structural analysis indicates that this does not at present affect the integrity of the structure. Further consideration needs to be given as to how these bearings are actually functioning and how they may be restored to an acceptable condition. HSE recommends that a system for monitoring the movements of all bearings should be instituted."

Is that going to be Railtrack's responsibility? Some Railtrack personnel have told me that the bearings have not been functioning for some time and so it is a historic obligation that should be taken on using Scottish Office funds. I asked the Scottish Office if it had the money to do the work and it said that it was not in its budget. Who is responsible for the bearings?

Recommendation 102 continues:

"Although the knuckle pin bearings at the 'fixed' ends of the suspended spans are not correctly aligned to the structure by modern design, the structural analysis indicates that this does not compromise the structural integrity of the bridge. The 'rocking posts' at the 'free ends' of the suspended spans appear to be capable of functioning but no means of lubrication was observed. Further consideration needs to be given to what action is required to ensure the continued acceptable operation of these bearings."

I do not suggest that it is the business of the Secretary of State to go out with a lubricating can or to be personally responsible for the lubrication of a particular bridge, but it is fair to ask Ministers how that work is to be done and whether they are prepared to ensure that it is.

Recommendation 103 states:

"The bearings at the base of the skewbacks appear to be seized. Analysis has demonstrated that this lack of movement has no significance with regard to the structural integrity of the bridge."

But, recommendation 104 continues:

"The lubrication system of the bearings on the approach viaducts does not appear to be functioning and further consideration of this aspect is necessary."

I am told by other engineers that, in terms of the long-term life of the bridge, the position and functioning of the bearings along the lines that the builders intended has been somewhat underestimated by the HSE inspectors and that that ought to be considered.

Recommendation 105 states:

"Cracks identified in the rail troughs should be repaired in the near future. The integrity of the previous repairs should be investigated. Any repairs and the repositioning of the longitudinal timbers over the transoms should be undertaken as part of a planned maintenance strategy. Similarly the tears in the deck plates need to be repaired."

Again it is the same question: who will finance the repairs? I hope that the Minister will say at 9.30 tonight that the hon. Member for Linlithgow and his colleagues need have no worries that Railtrack is undertaking the total financial responsibility of the HSE report.

In the hours that the Minister has between now and making his closing remarks, I hope that he will take the opportunity to get on to Railtrack, which has been well appraised of the problem, and ask Bob Horton, or whomsoever, what they are prepared to undertake. I think that the House of Commons is entitled to know the future of what is not only a vital link to the north of Scotland but the greatest monument to British, European or world engineering of the 19th century.

I thank hon. Members for their courtesy in hearing me.

5.10 pm

Sir David Madel (South-West Bedfordshire): It is a pleasure to follow the hon. Member for Linlithgow (Mr. Dalyell). Later in my speech I should like to say something about safety on the railways, although not so much in relation to the topics that he mentioned.

Railway privatisation, as has been said by hon. Members, has been the most difficult and complicated privatisation ever undertaken, although it has been one of the smallest. Rail travel affects many people's lives daily, but, in view of the furious political controversy over privatisation, it is bound to be some time before the public can judge whether they think that it has been a success.

The Government have quite understandably drawn attention to the fact that they will save money in the short and long terms, not only because of the sale but because of the declining subsidies that they will have to pay.

As a start, I suggest that the public would strongly support the proposal that the money that is saved should be recycled back into other parts of the transport system. I am in no sense advocating more motorways or the endless widening of existing ones. We have known for some time that there is virtually no new road-building programme planned for London.

The current situation, however, leaves one aspect of transport policy still requiring urgent attention. If the House will excuse me for a few seconds, I shall of course refer to the bypasses that are vitally required round so many of our towns.

Transport Ministers, who have listened to me very patiently over the years, will understand why I shall take this opportunity to make a short, sharp further plea to get started on Dunstable's bypass. I know that it cannot be started overnight, but the sooner we at least start the pre-public inquiry conference and then the public inquiry into that bypass, the sooner morale in the town will be lifted—not least because of the current acute local economic difficulties that are much tied up with our transport system.

I should also like to raise briefly another local matter, which is of direct relevance to Railtrack. I hope that Railtrack, once floated, will want to expand its asset base

[Sir David Madel]

by re-opening disused railway lines and generating business and profits from them. We have such a disused line in my constituency, between Dunstable and Luton, with track and rails already there and a powerful local campaign in place to get it re-opened.

Re-opening the line will of course cost a bit of money, and I agree that it cannot be accomplished overnight. I hope, however, that Railtrack will do an early feasibility study on the value of opening that railway so that people in Bedfordshire can know whether it has any plans or desire to make use of that existing infrastructure. I cannot think of a more environmentally friendly way in which to try to solve some of our problems in Bedfordshire than to get this railway line re-opened and used.

As I said at the beginning of my speech, I should like to say something about rail safety and the west coast main line modernisation. There has of course been much talk about how Railtrack will steadily improve its financial performance and build up its profits. There has also been much talk about cost cutting and the potential for cost cutting, which has inevitably led to fears about safety. Those fears must be allayed. In the chapter on work force safety, on page 10, the "Railway Group Safety Plan 1996-97", which was published by Railtrack, states:

"Organisations new to the railway also work at the trackside and the management of the arrangements to manage such contracts will be key to sustaining the improvement in trackside safety that has been achieved."

That sentence is self-explanatory, because it refers to new companies in the railway business that will get new contracts to improve and modernise the track. As the companies are obviously very new to the business—otherwise the document would not mention that they are—it is vital that the Health and Safety Executive becomes involved with them at a very early stage to ensure that safety rules are drawn up, which are new to those companies because they have never engaged on railway work before.

A second, equally important paragraph on page 10 refers to work force safety. It states that

"organisations should develop their objectives aimed at reducing that risk to as low as reasonably practicable"

and refers to other groups of workers who are exposed to risk.

Those organisations obviously must define what the other risks are, but they must also do something more. They must build up a joint management-work force committee that can identify and minimise the risks to safety to the lowest level that is practicably possible.

We all want to benefit from a new system of awarding contracts for railway work and to see new companies getting railway business and, hopefully, taking on more people, but the philosophy must always be value for money plus safety—the two simply must not be separated.

As a Member of Parliament representing a constituency in the south-east of the country, I should like to see the earliest possible start on the Bedfordshire-Euston section of the west coast main line, not only for the benefit of current users but for the benefit of future users who want to get to work in London or to stations down the line.

I have one comment to make on the document produced by Railtrack on the west coast main line modernisation. There is a section on page 33 of the document entitled "The Core Investment Programme". In relation to the new signalling arrangements, which is the subject of the section, the document states:

"Staff from each of the control disciplines would be co-located to reduce costs and optimise flexibility in the event of an incident, allowing the possibility of multi-skilling in the future."

That statement must raise some anxiety among the work force because the statement is—understandably because of new technology—hinting at the possibility of job losses in that part of the industry.

As we know, Railtrack had an extremely unhappy beginning because of the dispute with the signalmen. A wider point to be made in relation to technology is that some, though not all, privatisations have created real public disquiet and ill-will because of insensitive remuneration packages for directors and senior staff. The management of Railtrack must take the work force with it and work with the grain if it is successfully to make changes in the industry for the good of everyone.

I have always felt that one of the reasons why the possibility of privatising the Post Office was stalled was that the management simply could not get across to the work force the benefits of privatisation. Railtrack is about to float. It is incumbent on Railtrack management and of vital importance that it really does get across to the work force the benefits of privatisation.

Complicated and difficult though this privatisation has been, it can succeed because investment is at last freed from unnecessary, fiddling Treasury control. At last, we can get an increased volume of investment, which can transform the industry.

Years ago, Rab Butler used to stress to Conservatives the need to practise the patience of politics. We are going to need plenty of patience before the fruits of privatisation become apparent, but become apparent they will.

5.19 pm

Mr. David Chidgey (Eastleigh): Reflecting on the opening contributions to today's debate, it would be easy to regard the debate as an adversarial contest between a dying Government clinging desperately to their dogma and an Opposition bursting with condemnation but somewhat short on conviction. However, the debate goes far deeper than that and that first impression was surely false.

This debate goes to the very heart of whether Britain is to have an efficient modern transport system to boost our economy into the next century or whether we shall be left with the bare bones of a transport network, fought over by private interests motivated only by their personal and corporate profit.

The future of Railtrack and rail privatisation is vital to our economy and the environment. Incidentally, so far very little has been said about the environment, but I hope that other hon. Members will say something about an element that is so important to our transport system. Strategic investment and the decisions that go with it cannot be made in isolation. We have to consider the whole transport system—rail and road—as one. The various elements cannot be separated from each other when making strategic investment decisions.

If Railtrack is to become a linchpin in a revitalised transport system, we should be considering a series of key objectives and assessing how privatisation would or

would not meet them. We need to create an investment culture to modernise, develop and expand the railways within an integrated transport system. Passenger and freight—especially freight—patronage has to be greatly increased to take up the spare capacity on the railways, which is running at about 50 per cent.

The railways need new customers, attracted by fast, efficient, frequent and, above all, cheap services. We need a modern and efficient rail system that delivers good value for money to the taxpayer. Above all, customers for the new modern railway must be able to use the system in the certain knowledge that it is maintained and operated to the highest safety standards. I believe that we have to set the proposals for the privatisation of Railtrack in the context of achieving those aims and examine the impact of privatisation so far. Perhaps we can forecast what is likely to happen with the privatisation of Railtrack.

Franchise after franchise has been let with no requirement for a commitment to invest in desperately needed rolling stock. There are one or two exceptions, which the Minister cited, but the vast majority of franchises have been let with little or no requirement to invest in rolling stock. Rail privatisation seems to have been driven by a sort of manic belief that competition and market forces are the ultimate goal if one is trying to provide an efficient railway system, yet a combination of the Government's desperate need to raise cash as quickly as possible and the Treasury's insistence that franchises should be limited to the minimum period that the Government can get away with has stifled investment in our railway system and, in fact, lost the very benefits that could have been gained from a partnership between the private and public sectors.

I shall cite one example. Last week, it was announced that the Network SouthCentral franchise has been let. As many hon. Members know, that part of the system has some of the oldest rolling stock in the country still trundling around. That rolling stock still has some of the notoriously dangerous slam doors, which have been the subject of so much condemnation by the Health and Safety Executive.

The franchise winners are not committed to invest a penny in new rolling stock. That is hardly surprising, because their franchise runs for only seven years. How can they be expected to invest substantially in new rolling stock, which has a life of at least 30 years, when, after seven years, they could lose out and see their investment disappear?

To date, the major impact of rail privatisation seems to have been to squeeze the life out of the rail industry. Not one new rail locomotive has been ordered in the United Kingdom for more than 900 days. The UK rail industry is on its knees and in danger of going into terminal decline.

Franchises should be renegotiated and not just allowed to run out, as the Opposition believe. I know that many rail franchise winners are eager to renegotiate and may already be talking to the Secretary of State about the possibilities that would provide the opportunity to invest in new rolling stock and improve rail services. One of the first jobs of a new Government should be to reconsider the franchises to update, renegotiate and widen them and make them attractive to the investor and the user.

Figures on investment in Railtrack are bandied about in all directions and plucked out of various pockets of air, but they rarely add up. The Rail Regulator's report to the Select Committee on Transport stated that, in 1994-95, Railtrack spent £150 million less than the average £483 million required in its asset management plan to maintain the rail network. That is probably an accurate statement. In its 10-year plan, Railtrack proposed investing less than Britain Rail had planned. Railtrack proposed £1.03 billion a year compared with British Rail's £1.11 billion a year. That seems to make sense to me. Of course—

The Minister for Railways and Roads (Mr. John Watts) *rose—*

Mr. Chidgey: I thought that that might drag the Minister to his feet.

Mr. Watts: The hon. Gentleman is citing past figures for investment by British Rail, but will he acknowledge that he is talking about investment in infrastructure and rolling stock? In previous years, there was heavy investment—£4 billion over 10 years—for 4,000 new pieces of rolling stock. Therefore, the hon. Gentleman is not comparing like with like, even if the total figures that he is citing are correct.

Mr. Chidgey: I thank the Minister for that comment and I shall return to it later when comparing the subsidy paid by the taxpayer to British Rail in the past with the subsidy that the taxpayer is now expected to contribute under the privatised system. Perhaps the figures taken together will give us a greater insight into the overall cost of our railways.

Mr. Peter Luff (Worcester): Do the figures that the hon. Gentleman gave for British Rail's investment in infrastructure and rolling stock include the cost of works associated with the channel tunnel and the upgrading of the line to the tunnel?

Mr. Chidgey: The figures that I am using are those for maintenance and do not include investment in the channel tunnel rail link.

Setting aside the lack of investment, what hope is there that a privatised Railtrack will increase patronage? What steps will be taken under the new system to attract more passengers, and especially more freight, on to the railways which, as I said, are running at only 50 per cent. capacity? With the Rail Regulator's guidelines set firmly to maximise competition, there seem to be very few incentives to increase patronage. In fact, Railtrack seems perversely to be bent on driving away custom.

Railtrack's charges are so high that train operators are now moving rail vehicles and even locomotive fuel by road because it is cheaper to do so. The marginal costs of adding one extra coach to a train are £170,000, as I think the shadow Secretary of State for Transport said. The operator could provide a fleet of buses to move passengers around the country for less than that.

Railtrack's approach to attracting freight customers beggars belief: it is widely reported that Railtrack is erecting barriers to companies that would prefer to switch to rail. Developers hoping to build rail terminals and sidings accuse Railtrack of exploiting its monopoly and demanding excess sums for links with the rail network. Complaints are rife that Railtrack demands fat

[Mr. Chidgey]

consultancy fees up front to carry out freight link feasibility studies instead of sharing the initial risk and recouping its fees if the project is successful; that is the standard way of operating in business and in every other sector of industry of which I am aware.

I emphasise my point by referring to an article that appeared in the *Financial Times* on 14 February this year. Railtrack was accused of demanding excess wayleave payments from developers who needed to build roads and bridges over railway land, even though it was not involved in those projects. A classic case is the £380 million freight terminal that PowerGen is building at Hams Hall near Birmingham. Before allowing PowerGen to build a road bridge over the track, Railtrack demanded a half share in the full profit from the £380 million development in which it was not involved and had not invested. That is the ransom that it demanded for granting wayleave over its land.

Instead of nurturing a culture aimed at creating and increasing business, developers are faced with monopolistic exploitation that will only worsen under the current privatisation programme. What hope can we have that a privatised Railtrack will provide a modern, efficient rail system that delivers good value for money to the taxpayer? I think that there is little hope of that.

I return to expenditure on the railways. I examined the Government's transport report while preparing my speech, and compared the figures in that report with those provided by people with knowledge of British Rail's performance. I found that, according to British Rail's figures, the taxpayer provided some £930 million in 1993-94 to support passenger services and £105 million to support passenger transport executives—a total of about £1 billion.

In 1994-95, under the Government's new regime, the Office of Passenger Rail Franchising—Opraf—support grants had risen to £1.74 billion, together with PTE support of another £340 million. Public support for the railways rose to £2 billion. Government expenditure plans show that, by 1995-96, Opraf will provide a support grant of £1.7 billion to which must be added the PTE support—that figure has not been produced, but one could reasonably expect it to be about £300 million. Therefore, public support for the railways would again be around £2 billion. It is likely to be the same in 1996-97. As a result of privatisation policy, the taxpayer's support for railways has doubled to £2 billion since 1994-95 and will continue to increase at a rate of £1.5 billion a year into the next century.

While the new rail companies remained in public hands, there was no great impact on public expenditure because the profits earned by the train operating companies, the ROSCOs—the rolling stock companies—and Railtrack were recycled to the Treasury. However, as the railway is fragmented and sold, the profits—paid for with taxpayer subsidies—will go not into vital investment in the railways but into the pockets of directors and shareholders, with a minimal commitment to expanding services and increasing passenger numbers and freight.

So we come to the flotation of Railtrack: the ultimate giveaway of public property, garnished with profits rightfully due to the taxpayer. We are told that Railtrack shares are likely to fetch some £1.5 billion on the stock market. Yet the net book value—never mind the replacement cost—is calculated in the prospectus at some £4.3 billion.

It is enlightening to see how financial advisers are marketing the share sales. I am pleased that the Minister is still in the Chamber, as he may not have had the opportunity to receive this sort of feedback. I refer him to one so-called "share shop" and its pamphlet which one can buy for an annual subscription of £40—I hasten to add that I did not buy it; it was given to me as an example. It is interesting to see how it is marketing the Railtrack shares. The pamphlet states:

"Railtrack is essentially a property company and the land that Railtrack will own could be regarded as one of the most valuable pieces of real estate in the United Kingdom".

It goes on to describe how the track passes through

"valuable commercial and industrial sites all over the UK".

It refers to those as being ripe for exploitation—they are not my words, but those of the salesmen—with retail developments at main line stations competing with major department stores up and down the country. The pamphlet then describes how stations can have

"a captive audience of passengers who are all potential customers".

It refers to the passengers who either arrive too early and have time to spare or, better still, who

"arrive at the last minute, missing their train, and have possibly an hour or so to wait until their next train.

This waiting time is valuable selling time for retailers and food providers".

So now we know: the aim is not to run a fast, frequent and efficient railway; it is to capture passengers at railway stations that have been redeveloped into shopping centres. That is the hidden agenda. It is no wonder the article is entitled "Railtrack—could this be the end of the privatisation gravy train?".

It may be good business for Railtrack to act as a property developer, but it is emphatically poor value for taxpayers, who have the right to expect that the billions of pounds that they pay in subsidy will be invested in a modern, busy railway. Taxpayers have the right to use a railway system that is maintained and operated to the highest safety standards. Under Railtrack, there has been a catalogue of failures to maintain safety standards which experts forecast will only worsen if it is privatised.

Mr. Tredinnick *rose—*

Mr. Chidgey: I am about to conclude. The hon. Gentleman will have a chance to speak later in the debate.

The Health and Safety Executive report on Railtrack's formal management systems concluded that the weaknesses in those systems could eat away at safety margins and increase the risk of harm.

Mr. Tredinnick: Will the hon. Gentleman give way?

Mr. Chidgey: Madam Deputy Speaker, I will not give way; I shall finish my speech. I am sure that, in time, the hon. Gentleman will have an opportunity to contribute.

Mr. Tredinnick: On a point of order, Madam Deputy Speaker. I seek your guidance. In a debate in which all hon. Members have given way generously, is it not a breach of normal behaviour in the House for the hon.

Gentleman to refuse to give way, despite the facts that there are no restrictions on the debate and he has ample time in which to do so?

Madam Deputy Speaker (Dame Janet Fookes): The rule is very clear and I expected the hon. Member for Bosworth to know it: it is entirely at the discretion of the hon. Member who has the Floor to decide whether to give way.

Mr. Chidgey: It is clear that overall responsibility for safety has become confused and that a culture of blame is developing. When something goes wrong, it is a case of, "It's not my fault, it is someone else's." A classic example was the recent Stafford rail crash. Railtrack's immediate response was to claim that the accident had nothing to do with it. In its haste, it wrongly advised one family that a relative had been killed.

I recently questioned the Minister about a derailment at Euston station last December which paralysed a major part of the network. It has emerged that Railtrack ignored three earlier warnings from its contractors about the condition of the track. Under the old British Rail regime—that old monument, as we were told earlier—the manager responsible for such dereliction would have been sacked on the spot. Railtrack did nothing, and the Minister has yet to tell me why. Is it any wonder that more than 80 per cent. of Railtrack's middle managers are opposed to the sale of Railtrack, stating as one of their major reasons the fact that safety standards are declining as commercial pressures start to drive the business?

In terms of investment, attracting new customers with fast, efficient and frequent services, providing modern, efficient rail systems delivering good value for money and providing a well-maintained and, above all, safe railway, Railtrack is failing, and it will fail faster under privatisation.

If we are to combat the growing congestion on our roads and the increasing pollution of our environment, we have to transport more people and freight by rail. The railways have a great unused capacity. Investment must be a priority to allow faster, more frequent and more convenient rail travel. The choice between investing in major new roads and investing in railways is vital to our economy and our environment. It is not acceptable to allow a private company to take such decisions solely in the interests of its shareholders.

The Liberal Democrats are prepared to pledge that, in the next Government, we would issue fresh guidelines to the Rail Regulator. He would no longer be required to promote competition; instead, he would be obliged to set ambitious targets for maximising patronage, to cap the dividends of Railtrack and to prevent it from exploiting its property assets at the expense of the taxpayer. Development profits would be used to invest in the railway rather than to benefit the shareholders and Railtrack would be forced to use its asset base as a financial instrument to raise capital to reinvest in the railway. Perhaps most significantly in terms of the operation of the railway, the Rail Regulator would have guidelines that forced Railtrack to charge freight operators only the marginal wear-and-tear costs of access to make sure that we brought freight back to the railways.

Our vision offers simplicity—fewer lawyers, fewer accountants, more passengers and less pollution—a busy, expanding railway giving value for money to the taxpayer.

5.40 pm

Mr. Gary Waller (Keighley): The public are fed up with the old arguments about privatisation. They deserve a more intelligent debate in which it is not always claimed that every conceivable human activity must be run in the private sector. At the same time, however, the Labour party must learn that it need not inevitably resist it to the death, as it invariably has done and is doing today.

I start from the position that commercial activities are better run by free enterprise than by Ministers and civil servants. That is unarguable, but even after 17 years and many benefits arising from previous privatisations, the Government cannot assume that the public will always see an overwhelming case for the private sector to run such activities. In each instance, the case must be made on its merits and I believe that in this case the merits are very great indeed.

What makes privatisation successful? What makes it work more effectively? In a word, it is competition. That is why the Government have sought to introduce genuine competition where it does not exist or exists only to a limited extent. Where competition is absent or very limited, it is necessary to substitute a strict regulatory regime. However, regulation has its limits. The more successful a company becomes at running its business, the more a regulator may find it necessary to intervene. Thus, the share price of a private enterprise may be affected more by investors' perception of a regulator's determination to exercise his powers than by almost any other factor.

Rail is a natural candidate for privatisation because it offers considerable opportunities for competition. The method of rail privatisation adopted by the Government certainly involves greater risks—especially political risks—than a straightforward single privatisation of the industry, but it also offers much greater opportunities for the future.

The franchise method means that many potential operators are competing for the right to run services over a period of years. If they are successful, they will operate a commercial enterprise with considerable potential to compete effectively with other domestic modes of travel, particularly road and air. As competition will exist when the franchises are awarded and then throughout the term of each franchise, I believe that it will not be necessary for the Rail Regulator to exercise his responsibilities with a heavy hand. That is why the operation of rail services falls naturally into the private sector. We still have to prove that case. Far from having difficulty in doing so, I welcome any opportunity to argue from that position.

Whatever criticisms may have been made of British Rail in the past, the fault lay mainly with the system under which it operated. Rigorous control of the railways by the Treasury has produced disastrous results for British Rail over many years. The franchising director, Roger Salmon, has explained that whereas capital expenditure often demands 30 and 40-year time horizons, the British Railways Board could often look forward only a few months. Capital expenditure had to be controlled until quite late in the year in case revenue fell short of what had been anticipated. If capital expenditure is managed in such a way, it becomes impossible to plan effectively and sensibly. I maintain that, ultimately, the success of privatisation can be properly assessed only by rail customers, and in those terms some of the benefits that

[Mr. Gary Waller]

ensue from the ability to plan on a longer-term basis are already apparent. I refer in particular to the guarantees that have been given about rail fares over the next seven years and about service levels, both of which are entirely new concepts. In relation to those factors, to access charges and to extending competition, the franchising director and the Rail Regulator can use their powers to benefit passengers in a way that Ministers never could or would.

The variety of train operating companies inevitably means that there will be variations in management style and practice. To some extent that will reflect the differences between the businesses that they run, but I believe that there will be opportunities to emulate best practice in a way that could not be secured in a monolithic structure.

Train operating companies will be able to plan ahead in a way that rail managers never could because of the confidence that there will be a steady flow of investment by Railtrack in renewal, maintenance and new capital investment. Those in British Rail who ran the trains could never be confident that their colleagues who provided the tracks on which the trains ran would be able to deliver. It was not that they did not want to do so, but it was possible that they might not.

The need to plan spending on an annual basis in the public sector meant that projects were subject to frequent interruptions. British Rail could not take advantage of supplier discounts and contractors had little incentive to invest in the most modern equipment. I understand that one project cost double the initial estimate because of frequent interruptions to work when annual funds were exhausted.

The only appropriate way to measure the success of rail privatisation is via customer satisfaction, but in time I am sure that there will be a repetition of the benefits to the taxpayer and the customer which have characterised previous privatisations.

In 1979, the borrowings and losses of state-owned industries were costed at some £3 billion a year. A decade later, newly privatised enterprises were making a contribution in terms of tax paid to the Treasury of some £2 billion. To anyone who claimed that we were selling off the family silver, I would respond that it was a strange analogy to use if having it on our shelves cost us good money whereas its use by others produced a handsome return.

Mr. Tredinnick: My hon. Friend will recall that the hon. Member for Eastleigh (Mr. Chidgey), who spoke on behalf of the Liberal Democrats and who is not in his place at the moment, argued against the utilisation of land at stations and against the improvement of facilities. Does my hon. Friend agree that it is better to use those assets effectively and that it is in the public interest to do so, although it is obviously against Liberal policy?

Mr. Waller: I entirely agree. There has been a desire in the city of Bradford for many years to provide a shopping centre at Forster square station. I believe that that would be easier to do in future.

Mr. Wilson: On a point of order, Madam Deputy Speaker. In fairness to the hon. Member for Eastleigh (Mr. Chidgey), I want to point out that he left the Chamber only to give his speaking notes to *Hansard*. That was an extremely cheap point by a rather expensive hon. Member.

Mr. Tredinnick: I said that the hon. Member for Eastleigh was not in his place, which was correct. I did not say that he had left the Chamber. He was sitting at the other end of the Bench.

Mr. Waller: I believe that it will be easier in future to provide a shopping mall of the sort to which I referred, which has taken so long to develop in Bradford. Far from regretting that land will be developed, I think that is to be welcomed. The assets in question have been underdeveloped in the past. British Rail often wanted to develop them but was unable to do so because of limitations on its activities. The hotels that British Rail used to own remained underdeveloped compared with hotels in the private sector until the time that they were sold, which preceded this privatisation exercise. The sale of those hotels has been good for their customers and for taxpayers, who previously had to bear the hotels' losses incurred but who subsequently saw some benefit.

State ownership limits an industry's ability to look elsewhere for loans and investment. When a state-owned enterprise borrows money, the Government underwrite the loans, which make them indistinguishable from all other forms of public sector borrowing. Demands of enterprises such as the railways have often been fairly low on the list of priorities. Any Government first have a responsibility to the economy as a whole. As there are times when the needs of individual state enterprises must inevitably take a back seat to macroeconomic requirements, politicians often have to curtail the ability of state enterprises to borrow. Railways, like other industries, have never been able to achieve their potential under state control.

A recent editorial in the *Financial Times* stated:

"If the railways were working well, there would be an argument for leaving them alone. As it is, even with some of the highest fares in Europe, they are under-invested; passengers are still too often made to feel as though they are an encumbrance to the running of the railway, rather than the reason for it. . . Privatisation has already raised investment levels and transformed management in other industries. . . If the Government gets it right, its plan presents the best prospect of providing Britain with the attractive and well-run railway it needs."

I note that *The Guardian* has also acknowledged the potential in privatisation and that one should not discount that potential, which Labour Members are again doing tonight.

Other countries are not immune to the imperatives that drive privatisation forward in this country. Britain's record of investment in a nationalised rail sector is often unfairly compared with that of Germany and France. If the comparison is related to investment per mile of route, Britain by no means does badly.

The true cost of state ownership is now more fully appreciated in other countries, especially as losses increase. My right hon. Friend the Secretary of State for Transport referred to the losses already accrued in France. Suggestions that the French Government intended to make a significant cut in the scale of their subsidy to the railways as a possible prelude to privatisation were sufficient last autumn to drive mollycoddled rail workers to strike action. France is watching closely what happens

in Britain, because France appreciates that it cannot ignore the advantages that we are now grasping. The German Government have adopted a 10-year programme to transfer a major part of the rail network to the private sector, and many other countries are following the logic of that process. We are in the forefront of the process, but we are far from alone—other countries are waiting to learn from our success. Everywhere, competition is seen as the way forward.

Railtrack has announced that in the 10 years after privatisation it will spend more than £1 billion a year on maintenance and renewal of the rail network. When the sale of Railtrack is complete, it will have access to new sources of finance, enabling it to proceed with major projects. In the last 10 years, rail fares have risen more than 22 per cent. above inflation. I do not think that the customer has had a good deal for the money that he or she has spent. In the new privatised railways, key commuter and leisure fares will be pegged to the rate of inflation for the next three years, and they will be frozen below inflation for four years thereafter. Through tickets and railcards will still be available. Many of the scare stories that have been bandied about are simply not true.

In the past three weeks, the InterCity East Coast franchise has been awarded to Great Northern Railways, a subsidiary of Sea Containers. Judging by the plans announced by GNR, that looks like a good deal for users of the east coast main line, including myself. The outcome must be judged by deeds, not words. It is certainly good news for the taxpayer that GNR plans to change InterCity East Coast to a business that no longer relies on public money. Passengers—certainly from the north of England—will primarily be concerned with assessing the service that they receive.

I welcome the commitment to an improved passengers charter and upgraded facilities—especially at stations, with particular emphasis on passenger security measures and improved access for disabled passengers. It should prove possible to improve existing scheduled travelling times on Sunday, bearing in mind that InterCity East Coast has regularly allowed at least an extra 20 minutes on scheduled arrival times to allow for possible delays, usually enabling the claim to be made that the train has arrived up to 20 minutes ahead of time.

I hope that Great Northern Railways, in considering new business opportunities, will talk to Railtrack about the possibility of operating at least one London-bound train a day from Skipton, because many people believe that there is considerable potential for additional patronage from stations in the Aire valley. It is a great advantage that the line is already electrified, but I understand that additional work must be done to accommodate InterCity rolling stock—such as lengthening platforms and upgrading overhead power lines. I am afraid that they are the wrong kind of wires.

Many of the trains operated on the Airedale line and all those running on the Wharfedale line in my constituency are supported by West Yorkshire passenger transport executive under section 20 agreements. I welcome the Government's intention, stated in their response to the Transport Select Committee's report on railway finances, to use the standard spending assessment mechanism to provide support for PTE-secured rail services, which will enable them to deliver sufficient funding to maintain existing services in future years. Bearing in mind that, 15 years ago, the Wharfedale line in particular was threatened with extinction, it is welcome that local rail travellers can now look forward to a much more encouraging future.

The future for regular users of the Airedale and Wharfedale ultimately depends on the acquisition of new trains. We need to make up for a grievously shortsighted approach by the Treasury which, following electrification of the track infrastructure, was unwilling to give guarantees to the banks that were putting up the finance for new trains to be leased, and which were deterred by a number of uncertainties at the time—including the future of passenger transport authorities. The acquisition of second-hand trains that previously operated on the London-Tilbury-Southend line was the best deal that could be done in the circumstances, but slam-door stock—which first came into use in the 1950s—is a hopelessly unsatisfactory alternative to the acquisition of new trains. It is inadequate in safety terms and it comes nowhere near the standards that we should rightly expect on behalf of disabled people. For instance, it is impossible to get wheelchairs into those trains. I know that my right hon. Friend the Member for Kettering (Mr. Freeman), then the responsible Minister, did his best to tie up a deal, but unfortunately he was not successful.

Despite money being spent on refurbishing the old LTS trains, serious technical failures occurred last November—fortunately without injury to passengers. The need to take all the electric rolling stock out of use and for it to go back to ABB at Crewe has resulted in an inadequate service for rail users in recent weeks. That has been a severe setback because patronage had increased following electrification of the line.

The problems have given a new impetus to talks that had already begun to discover whether an order could be submitted to bring new trains to those lines by around 1998. Some of the uncertainties that prevented the deal from being concluded some time ago, including the question whether the PTEs had a future, have now been resolved. Other matters, such as the length of a franchise for the operation of trains on the lines, have yet to be determined. I believe that a 15-year franchise term would provide a better prospect of securing a satisfactory leasing arrangement. As in the past, the best possible deal could be done by tying the acquisition of new trains to others being ordered elsewhere so that the benefits arising from economies of scale can be grasped.

I hope that it may be possible for an order to be submitted this year, enabling the new trains to be delivered in 1998. Unfortunately, recent setbacks may have led to a loss of confidence by some passengers and everything possible needs to be done to reassure them. For commuters, students and shoppers travelling to Leeds and Bradford, the train should be a convenient, comfortable and environmentally friendly alternative to the car. We must do everything we can to make that so. I agree with the hon. Member for Eastleigh (Mr. Chidgey), who referred to the importance of the environment. If we can encourage the use of trains, it can do nothing but good for the environment. I know that my hon. Friend the Minister for Railways and Roads is aware of my local situation and I hope that we can rely on his support in achieving our objectives.

Privatisation is designed to halt and reverse the decline in railway use. As has been pointed out already in the debate, £54 billion has been invested since 1948 but, as my right hon. Friend the Secretary of State said in his

[Mr. Waller]

speech, the share of journeys by rail has fallen from 17 per cent. in 1953 to just 5 per cent. now. That has been bad for everybody. Privatisation offers a great opportunity for change. We already have some encouraging signs that many individuals and enterprises in the private sector want an opportunity to show that they can do better. We owe it to rail passengers, to the environment, to the companies and to the future of this country, which depends greatly on a good transport infrastructure, to give privatisation every encouragement.

6.2 pm

Ms Glenda Jackson (Hampstead and Highgate): The Secretary of State attempted to convince the House—with a marked lack of success—that the Government's plans for the privatisation of our railways and the creation of Railtrack were already an unqualified success. That has not been the experience of my constituents, certainly from the beginning of this year. *[Interruption.]*

I seem to be causing some concern to the hon. Member for Castle Point (Dr. Spink). If he would like me to give way, I would be happy so to do. He is checking in the list of Members' interests, and I have little doubt that he is about to accuse me of not declaring an interest as a Member sponsored by the rail drivers union, the Association of Locomotive Engineers and Firemen or ASLEF.

The situation has changed since the House has reconvened. I, in common with all my right hon. and hon. Friends, am no longer sponsored by trade unions. Such sponsorship as the trade union movement continues to devote and dedicate to the Labour party is via the constituency parties and not to individual Members of Parliament. I hope that I have set the hon. Gentleman's mind at rest. *[Interruption.]* I clearly have not, so I will give way.

Dr. Spink: I was not going to make any accusation about the hon. Lady. I am delighted that she has explained the situation, and I am delighted that she no longer speaks for that vested interest. Perhaps she will join Conservative Members in speaking for the public interest and the passengers.

Ms Jackson: Would that Conservative Members spoke sufficiently frequently for the vested interests of their constituents and the public. If Conservative Members spoke for those interests, I have little doubt that they would join us in the Lobby tonight and vote against the flotation of Railtrack.

The point that I was attempting to make leads directly from the contribution by the hon. Member for Castle Point. The privatisation of our railways and, indeed, the formation of Railtrack have not been in the interests of my constituents, especially those living in two roads in the Cricklewood area. Since the beginning of this year, necessary work—I have no doubt that the work is necessary—on the tracks that run alongside those roads has been causing problems.

I have received a letter from one of my constituents, on behalf of the Fordwych Residents' Association, which states:

"I write . . . to advise you of the very considerable discomfort, inconvenience and apprehension of danger to their homes and properties experienced by many of the residents in this area as a consequence of the very much increased vibration from the railway track which runs parallel"

to those roads. He continues:

"people . . . have lived for many years adjacent to the railway line and have become inured and habituated to the normal level of traffic"—

but he says that they regarded the current level of vibration to be abnormal. That letter was dated 14 March.

A response to that letter, dated 1 April, came from the infrastructure services manager of Railtrack Midlands to my constituent. The reply states:

"Your fear that vibration from the railway may lead to long term structural damage to your house must be denied."

There is no reason why my constituent must deny the experience that he, his family and neighbours are living through at the moment, but the most important paragraph of the letter is the last one. The letter is signed by Mr. K. B. Humphrey and states:

"The above may not be what you want to hear but I am afraid Railtrack do operate their railway with the benefit of statutory authority and in the absence of proof of negligence they are not liable to adjoining landowners for noise, vibration or otherwise."

Many Conservative Members, in our debates on the channel tunnel rail link, have voiced the concerns of their constituents about the possible vibration and noise that may be contingent upon the construction of that high-speed line. The letter is a fairly clear proof that Railtrack is not putting the customer first. We are told that that is the basic overriding priority of any privatised company—the Secretary of State said it today. The phrase he used was that the customer is king. Clearly Railtrack does not regard its customers as king.

For me, there is another cause for concern in the exchange of correspondence on that issue, and I am sure that all hon. Members would share that concern. There has been much correspondence between myself and my constituents, and between Railtrack and myself on behalf of my constituents, since the beginning of this year. On 12 April, I received a letter from Railtrack East Anglia, from Miss Sandra Jones, the public affairs manager. Her letter states:

"The line in question is in Railtrack's Midland zone. I have forwarded your letter for them to deal with. To speed up these matters in the future"—

clearly Railtrack believes that such difficulties will not abate—

"would you be pleased to mark on a map which railway lines in your constituency are ours and which belong to other Railtrack zones?"

I find it bewildering that Railtrack does not know what it is supposed to be in charge of—it seems not to know which are its lines, where they are and what responsibilities it has.

We have heard about the overall benefits that must inevitably arise for the travelling public from the Government's privatisation plans. The hon. Member for Keighley (Mr. Waller) talked about closed circuit television, which has been a proven success in reducing crime, whenever the Government have managed to find the funding to assist local authorities, for example, to install it. The automatic presumption, indeed assumption, that privatisation will bring about many necessary

benefits—over the past 17 years, successive Conservative Governments have markedly failed to consider them—is not realistic.

I visited Edmonton Green earlier this week. There, the local Labour-controlled authority, Enfield council, had been in consultation with the West Anglia and Great Northern railway to install closed circuit televisions in the four stations in the area. I should say that in one of the stations, Bushill Park, CCTV has already been installed. There were three other stations, however, where the Labour-controlled local authority and the railway company were wishing to install CCTV. These were Edmonton Green, Silver Street and Angel Road.

Only on Tuesday of this week, I believe, the West Anglia and Great Northern railway had to put the scheme on hold, due to uncertainty about its future after privatisation.

Dr. Ian Twinn (Edmonton): It was kind of the hon. Lady to announce that she had been to my constituency, although she did not have the grace to say beforehand that she was going to do so. I am glad that she has acknowledged that it was Tory action that led to the installation of television at Bushill Park station.

Do not the hon. Lady's remarks confirm that we need to ensure that British Rail is in the private sector, so that there is freedom to invest and so that uncertainty can be removed? The hon. Lady is suggesting that there will be further Treasury cuts and stop-starts in providing funding for BR under her scheme, which means that my constituents would be even more disadvantaged if she were ever to be in power.

Ms Jackson: I cannot think of a greater disadvantage for any constituent in any part of the country than to be represented by a Conservative Member. If they have failed consistently for 17 years to bring basic improvements into the railway system, such as safety—*[Interruption.]* Conservative Members have voted consistently for reductions in services generally.

In the railway industry, over the past 33 months during which the Government have been introducing privatisation, there have been job losses for 24,872 people, at a cost to the taxpayer—to Conservative Members' taxpayers—of about £500,000 a day in redundancy payments. Yet Conservative Members have the audacity and the temerity to attempt to convince the House and the country generally that the Government's policy of privatising the railways has brought benefits to the taxpayer.

As my hon. Friend the Member for Birmingham, Ladywood (Ms Short), who speaks from the Opposition Front Bench on transport matters, had occasion to say this afternoon, the actual costs to the taxpayer of the Government's attempt to privatise the railways, and the flotation of Railtrack, is approaching £2.6 billion. Not one penny piece of that sum has gone into improving track and signalling. None of that sum has been used to install CCTV in the three remaining stations in the constituency of the hon. Member for Edmonton (Dr. Twinn). Services have not been improved.

Constant and consistent unmanning seems to be the first step that every franchise operator takes. When a franchise has been awarded, unmanning will do nothing to attract people on to the railways. As the hon. Member for Keighley said, it is virtually impossible for people with disabilities to use our railways, as they would undoubtedly wish to do, if stations are unmanned. It is equally highly unlikely that women will consider travelling late at night on our railways if stations are unmanned and the only other person on the train is probably the driver. The dangers are too well reported for that to be a possibility.

Will the Government's policy attract people from their cars on to the railways? My hon. Friend the Member for Ladywood stressed how grossly unbalanced is the present structure for those freight operators who would like to move freight from the roads on to the railways. There is nothing in the Government's privatisation plans or in the flotation of Railtrack that will balance the current basic inequity. Yet we must acknowledge that the way forward, both economically and environmentally, is to attract greater passenger use of our railway system, and certainly greater freight movements by rail.

Privatisation and the flotation of Railtrack, far from expanding the use of railways and improving the presently integrated system, will lead to the break-up of the system. It is nonsense for the Government to argue that the £2.6 billion that the taxpayer has already spent on a benighted policy will improve investment in our railways.

Railtrack has announced, I understand, after the publication of its prospectus, that it perceives spending £10 billion over the next 10 years as investment in our railway infrastructure. I believe that it was three years ago that Mr. Horton trumpeted with some pride that Railtrack intended to spend £800 million over the next 10 years on the west coast main line alone. That £8 billion would, over the 10 years to which he referred, have brought the west coast main line to the level at which it stood in 1973. That amount of investment would have produced a west coast main line that was 30 years out of date.

Apparently the magic door that will open to the treasuries of the world after Railtrack is privatised will produce for the entire network—not one line—only £10 billion over the next 10 years. There are already massive lengths of track along which trains must run slowly. There are speed restrictions because the lines have not been maintained to enable trains to run at the speeds of which they are capable.

We have heard much about the possibility of new rolling stock. If memory serves me correctly, Network SouthCentral, the most recent franchised line, stated categorically that it had no plans to provide new rolling stock on its lines. Network SouthCentral has 60 per cent. of the old slam-door trains. At the end of three years, the majority of its rolling stock will be 50 years out of date.

Network SouthCentral acknowledges that, over the next three years, it intends to invest £10 million in the line. That is £3.3 million a year. That is entirely inadequate, as anyone who knows anything about railways would agree.

There is no possibility, as we have seen ever since the Government introduced privatisation, that their proposals will create a railway fit for the 21st century and fit for the people. The only privatisation that our railway needs after 17 years of less than benign neglect by successive Conservative Governments is, as the Labour party has consistently argued, a public-private partnership. That is not, as the Government clearly wish, to wash our hands of the whole affair and push the railway system into the private sector.

[Ms Jackson]

I believe that it was the Secretary of State who said this afternoon, in attempting to rubbish—with no success whatever—my hon. Friend's commitment that the Rail Regulator would have infinitely more powers, that he had read in *The Independent* that the Labour party had argued for dispensing with the regulator in the gas industry. I do not remember the newspaper in which it appeared, but there was a report that the Government intended to abolish the Department of Transport, so one either believes what the newspapers say or one does not, and the Secretary of State was somewhat selective.

By their marked failure to create a properly integrated public transport system for this country, with the railways as the central pillar of a properly integrated public transport system, the Government have done nothing but unmitigated damage. Morale of those dedicated people who have worked all their lives in the railway industry, and who would wish to see out the rest of their working lives in the railway industry, has never been lower.

If Conservative Members really are concerned with the vested interests of their constituents, they should know that the electorate and the nation as a whole have consistently argued against rail privatisation. Every opinion poll has shown that more than 69 per cent. of people in this country are totally opposed to it, and I have little doubt that they are totally opposed to the flotation of Railtrack, particularly when it is their money that is being given as sweeteners to people who will take it out of the railway system and put it into private pockets.

I strongly urge Conservative Members to consider voting with Labour Members tonight. Perhaps they will do so out of self-interest, because one of the most recent opinion polls on the privatisation of the railways highlighted the fact that one in five people who voted for a Conservative Member of Parliament at the previous election stated categorically that they would seriously reconsider that decision on the single issue of rail privatisation.

As the South-East Staffordshire by-election showed only last Thursday, there is virtually no issue that the people of this country believe a Conservative Government could do anything to improve, and in the main they regard the problems of this country, quite rightly, as the exclusive prerogative of an incompetent and, as they say, arrogant and uncaring Government.

Here is an opportunity for Conservative Members to refute that argument, although that it is virtually impossible now, by arguing for once for the interests of the nation and their constituents by voting against the privatisation of Railtrack.

6.23 pm

Mr. Den Dover (Chorley): The key issue before us is whether it is better to take the rail system forward in privatised hands or whether it should remain nationalised. After 50 years of nationalisation, we have seen a lack of investment, a reduction in safety standards and no way forward.

I challenged the hon. Member for Birmingham, Ladywood (Ms Short), the shadow Secretary of State for Transport, to say how she should increase passenger movements and the carriage of freight. She was unable to say, other than by investment. My right hon. Friend the Secretary of State challenged her on where that investment would come from. The answer was that it would have to come from taxpayers, and that it would cost an enormous amount, increasing taxation, borrowing, interest rates, inflation—the old socialist dogma, which, as we have seen, has failed over so many decades.

We have this evening a chance to break out and ensure that the management of Railtrack continues to provide a much better system, investing where people want them to invest and improving the infrastructure. I was surprised by the hon. Member for Eastleigh (Mr. Chidgey)—a civil engineer like me—who seemed to be opposed to the investment in stations and land. Surely that is where Railtrack's assets will increase enormously, to the benefit of shareholders who will buy into Railtrack in the coming months.

We want better facilities at our stations. We want the travelling public to be better catered for. We want facilities that are more in line with our European competitors, because having served on the Select Committee that considered the channel tunnel rail link, I know only too well that the high-speed rail system on the French side is much better than any system that exists over here, unless Railtrack is privatised and improves facilities throughout the country.

The Opposition motion calls for

"higher levels of rail investment, improved services and the best possible return on taxpayers' money."

We shall get that through privatisation. Railtrack's plans have already been announced. It will spend billions of pounds over the next 10 years, and will have to show that to its shareholders in terms of improvements to the whole rail infrastructure. The improved services will come from the rail operating companies. I am delighted that franchises have already been awarded for quite a large percentage of the rail system, and that percentage will improve and become more than 50 per cent. in the not too distant future.

The best possible return on taxpayers' money will be achieved by privatisation, and the taxpayer will benefit by almost £2 billion. Instead of writing off enormous sums by way of large subsidies, subsidies will be dramatically reduced in the coming years. Added to that, corporation tax will be paid, as it has been in every other privatisation in the past 17 years. Huge corporation tax income will flow to the Government. Indeed, the Government's amendment talks about

"the prospects of better services and higher investment at less cost to tax-payers."

We need private finance for that investment.

I shall briefly instance some of the disadvantages that we have seen in my constituency from the rail system being in nationalised hands. Parbold station—a village station—on the way from Southport, which is on the coast, to Manchester, has never had access for the disabled. We were promised disabled access before the 1992 general election, and that we would have it within two months. It took three years of my chasing—often weekly and monthly—to ensure that we had disabled access.

I am certain that, under the privatised regime, disabled access will be a right at all our stations. Chorley station, which I opened some 10 years ago, has never had a telephone or a toilet. Surely, in privatised hands, we would see better facilities.

I liken the plans for privatisation between Railtrack and the operating companies to our proposals for health, which have been carried through to fruition, where we have the purchaser-provider breakup. In this case, the purchaser, the operating companies, require from the provider, Railtrack, the right facilities: terminals, stations, rail track, signalling systems, and high levels of safety. They will be able to demand and obtain those from their franchises.

After privatisation, Railtrack will be completely free to make long-term investments, as was so ably pointed out by my hon. Friend the Member for Keighley (Mr. Waller). At the moment, having to compete with education, health and the myriad Government priorities is impossible on such a short-term basis. We want long-term investment, in the interests of shareholders and taxpayers. We will see that in the private enterprise.

I am delighted to support the Government's amendment. I look forward to this country having a first-class rail system with more investment. I have total confidence in Bob Horton and his team. The idiotic criticism by the shadow Secretary of State for Transport was totally uncalled for. Bob Horton has proved over the years in the private sector that he knows how to run a show in the interests of shareholders.

I look forward to ensuring that there are fewer subsidies over the years, and a return to the investors in the shares. I look forward to buying some of those shares myself, and I would strongly recommend that to any hon. Member or any member of the public listening to the debate this evening. That is the way forward.

According to the opinion polls, most people think that the rail system will become less safe and reliable, and that there will be fewer services. We hear the same criticisms of every privatisation, but every privatisation has been a success, and I look forward to the resounding success of rail privatisation in the capable hands of Bob Horton and Railtrack.

6.29 pm

Mr. Peter L. Pike (Burnley): I am pleased to be able to speak in the debate. It follows the publication of the pathfinder prospectus earlier this week, which was a further step in the privatisation of Railtrack.

The Secretary of State did not say much about the Government amendment, and, having read it several times, I am not surprised. Let me draw attention to one little word in it—"prospects". The amendment refers to

"offering the prospects of better services and higher investment at less cost to tax-payers".

I believe that the word "prospects" suggests a lack of certainty, even on the Government's part, that privatisation will deliver what is claimed for it. I have "prospects" of winning the national lottery—I buy a ticket every week—but as yet I have failed to win more than £10. Nevertheless, I think that my chance of winning the lottery is higher than the Government's chance of winning the next general election.

I do not believe that the Government are very confident about their proposal. They know that the opinion polls show that the public are opposed to rail privatisation. I shall not refer again to figures that have been cited several times today, but the fact remains that the public continually demonstrate their opposition to the privatisation of the railways. Even more important, having been on the doorstep in South-East Staffordshire trying to get their people to vote for them in the recent by-election, the Conservatives must know that even the potential Conservative voters who remain are opposed to privatisation. They must also know that the majority of those who may have some sympathy with the proposal consider the method—the fragmentation—nonsensical. The general view is that we need an integrated, co-ordinated public transport system, and an integrated, co-ordinated rail system within that.

The one thing on which there has been broad agreement in the House is the need for investment in the railways. Everyone agrees that there has been a lack of investment—in varying proportions—over the past 50 years. Opposition Members believe that such investment should be made by a partnership: that public and private sectors should work together. We should not have the privatised nonsense that the Government propose; the public sector must play a major role.

As my hon. Friend the Member for Hampstead and Highgate (Ms Jackson) pointed out, it is not just a question of investment. If we want people to use the railway system, we must employ more people. A few months ago, I travelled by rail to Tooting, which is not so far from the House of Commons. Although the station is manned during the day, it is unstaffed in the evening. On both platforms, people who clearly had no intention of travelling were throwing bottles and stones from one platform to another. It was late in the evening, and I was returning to the House to vote. I waited anxiously for my train, feeling somewhat wary and cautious. If I had been an old-age pensioner or a woman, I would have been terrified and would not have gone near the station. That is one reason why people are not using the railways: they are often afraid to.

Hon. Members on both sides of the House have mentioned access to trains and stations for the disabled. It needs to be improved. I accept that that cannot be done overnight—the cost would be astronomical—but passengers should be able to know where they can get on and off trains, and to expect assistance from staff whenever they choose to travel, not just until 6 pm or 7 pm. I do not think that the privatisation of Railtrack will provide the necessary investment.

In response to two interventions, my hon. Friend the Member for Birmingham, Ladywood (Ms Short) said—quite fairly—that British Rail was not perfect. She also said, however, that it was better than what the Tory Government now proposed. Conservative Members should remember that their party has been in government for 30 of the 50 years in which British Rail has been in the public sector, and that in a couple of weeks they will have been continuously in government for 17 years. They have a good deal of responsibility for the faults in the system. Yes, British Rail is not perfect. The Government may have to accept that they have failed in their duty as the nation's shareholder, controlling it without improving the position.

I accept that there are faults in British Rail. I am currently pursuing two issues with Railtrack. They may sound very simple. One involves litter on the track throughout the country. The track opposite Sefton terrace in Burnley was cleared only when we had a royal visit a few years ago, and has not been cleared since: it is currently an appalling eyesore. Must we arrange another

[Mr. Peter L. Pike]

royal visit? Another eyesore is the track on the line to Padiham, where a power station has closed. The track has not been used for a couple of years.

Railtrack has responsibilities for such matters. I have not examined the Pathfinder prospectus, and I do not know what it says about Railtrack's responsibility for litter and fencing on the land that it owns following privatisation; but safety is currently Railtrack's responsibility, and it must clearly remain its responsibility following privatisation.

Why are the Government changing their policy? I accept that, when the Railways Bill was passed in 1993, it gave the Government the power to do what they are currently doing; no one suggested that they could not take such action. But did not the Government repeatedly say that Railtrack would be in the public sector for the foreseeable future? Did not the present Chancellor of the Duchy of Lancaster, the right hon. Member for Kettering (Mr. Freeman)—then a Transport Minister—say exactly those words during debate on the Railways Bill? What, at that time, was "the foreseeable future"? Was it only a couple of years, or was the Government's statement misleading? We are not allowed to accuse them of being deliberately misleading, but was what they said misleading? Has it been accepted that there has been a move to the right, and that the Government now believe that they must privatise something whose privatisation they formerly did not consider necessary?

Perhaps the Government need the cash for pre-election tax cuts. Perhaps that comment really hits the nail on the head. Perhaps they need the money. Perhaps they want to try to bribe the electorate. Would it not be a very expensive bribe to sell assets that are worth £6.5 billion for a potential income of £1.8 billion? It is outrageous if that is what the Government are going to do, because they are the custodians of the nation's assets.

We all remember Harold Macmillan accusing the Government of selling the nation's silver. With this privatisation, the Government are selling the nation's assets, and they are not going to get anywhere near the value for them that they should. They are failing the nation if they go ahead with the privatisation. If the £6.5 billion is not the true value of the assets, why are track access charges being based on a Railtrack value of £6.5 billion? The Government cannot have it both ways; one thing or the other must be wrong.

My hon. Friend the Member for Ladywood said that the annual taxpayers' subsidy to a privatised Railtrack would be £850 million more than it was prior to privatisation. The Secretary of State never responded to that. Is that correct or not? The Minister needs to clarify it. If it is correct, what will we get for that extra £850 million subsidy? Who will benefit from it—top management or shareholders?

The Secretary of State referred to employee shares and gave some detail on that proposal. We have seen it all before. Under the privatisation of PowerGen, National Power and others, special shares were provided for employees, but the employees did not get a director with those shares or any say in management. Although what happened with the Trustees Savings bank is slightly different because the Government did not get the proceeds of its privatisation, what happened to it is relevant. It also said that it would ensure employees' interests through rights to discounted shares and that small shareholders would be protected. Within a very short period, once the protection under the relevant Act had passed away, the very small number of shareholders at the top were able completely to outvote the mass of small shareholders. Towards the end of last year, the TSB was no longer an independent body. It is now part of the Lloyds group.

It is absolute nonsense to fragment the railways in the way that the Government are proposing. Some of my constituents have already had difficulties travelling. One travelled from Burnley to London and back, leaving Burnley Central station on the East Lancashire line, which is owned by one company, going on to the west coast main line at Preston for the InterCity part of the route, and returning by InterCity on the same part of the route. The journey ended not at the same railway station in Burnley, but at Burnley Manchester Road station on the Roses line, which was opened a few years ago and has been extremely successful. It must be said that the line was financed jointly by the National and Provincial building society, which is sadly disappearing into the Abbey National, and Lancashire county council, which supported it very much.

My constituent's journey involved three different railway companies, and there was a problem on each part of the journey as well as at Preston station. Four people will have to deal with the complaint in four different sections of the newly privatised, glorified system of nonsense that the Tory party will force on us if it does not draw back from the privatisation of Railtrack. What a way to run a railway system; what a way to run a country.

The prospectus confirms that nothing will be gained in the improvement of train services by privatising Railtrack. It says:

"Railtrack's passenger access income is unlikely to benefit materially from any increase in passenger use".

It also admits that increases in freight by rail are unlikely, stating:

"The opportunities for expanding rail freight operations are limited."

The previous Prime Minister, Lady Thatcher, once responded to an intervention by saying that it was a funny old world. It is a funny old prospectus that says that even if passenger use is increased, not much money will be made by it, and that the only dividends will be those that the public provide in subsidy. That is why it is such nonsense to create an initial profit to give to shareholders almost as soon as Railtrack is privatised. What a bribe to get people to buy shares. What a fiddle. I call it that because that is what the majority of people believe it to be. That is not the way to do things.

Debt has been written off from every privatised industry. If anybody else takes over a company, they have to take over any debt as well. Yet when the Government privatised water, the debt was written off, and a massive debt will be written off when Railtrack is privatised. Why should not the privatised company be liable to pay that debt back to the nation in years ahead? Orange was recently floated. It was a completely new flotation, so I am comparing one new flotation with another. It has made no profit to date, yet the Government would not give it any money to give to its shareholders or say that they would subsidise its first dividend for anyone who decided to respond to its prospectus.

Safety is important, and there are growing concerns about it on the railways partly as a result of the state of the infrastructure. Fifty sections of track on the west coast main line are now subject to speed restrictions as a result of the state of the track. There was none when the British Rail infrastructure was transferred to Railtrack. Already, within a couple of years, it has deteriorated.

The west coast main line is in need of investment—we all know that. I recognise the difficulties and, to be fair to the Minister, I know that he recognises the need for investment and is sympathetic to it. We all know that investment concerns not only signalling, track, overhead cabling or rolling stock. Those things must all be invested in to produce the type of rail service that we need on the line, which, with all respect to the east coast, carries much more traffic and is much more heavily used. Major investment is needed.

We recognise the difficulties, especially for parts of the track on which high-technology signalling and a low-technology system for local services that use some of the same parts of the track will be needed, such as the track feeding into Preston, and so on. There would be such difficulties, whoever owned Railtrack. What the Government are proposing offers no speedier solution to the need for improvements to the west coast main line. The Minister will disagree, but the Government have got it wrong. We need a publicly owned railway transport system.

We need a combination of private and public sector investment, to ensure that we can improve the track and rolling stock to give us the service that we need as we move towards the 21st century. I believe that the way in which the Government are moving is totally wrong, and that the Labour party is showing the right way ahead. If the Government do not heed us and change their mind, they will find that this one issue will add even more nails to their coffin when they finally have the courage to face the electorate.

6.49 pm

Mr. Bob Dunn (Dartford): The hon. Member for Burnley (Mr. Pike) has been extremely frank tonight—not least in his last few words. He said that he is in favour of a publicly owned rail service. He is at odds with the Government, but also with Opposition Front Benchers and we await the speech from the shadow Minister to see whether that gulf exists.

I begin by welcoming the announcement by the Secretary of State about the requirement placed upon the successful bidder for rail services in the south-east to make a clear and unequivocal commitment to replacing all of the 40-year-old rolling stock on one of the busiest rail routes in the country. That is something that Members of Parliament representing Kent constituencies—including myself—have made representations about for some time, and I am delighted that my right hon. Friend has met the concerns of commuters in the county of Kent.

Mr. Bayley: The hon. Gentleman will realise that I have a constituency interest in the matter. The Chancellor of the Duchy of Lancaster—when he was a Transport Minister—said that the rolling stock would start to be delivered in 1995. Had the Government stuck to their commitment, the carriage works in York would still be in business. I agree that it is good that the rolling stock is coming, but it is a shame that, under public sector control, the Government blocked the provision of that rolling stock, leading to the closure of the carriage works in my constituency.

Mr. Dunn: If called, the hon. Member for York (Mr. Bayley) can make his own speech later. All I say is that we have received an undertaking from the Secretary of State today that new rolling stock will be in place within three years. I will hold all concerned to that date, given that commitment by my right hon. Friend.

Hon. Members from both sides of the House have said what they want from the rail service. We all want a punctual and reliable service, and—from the consumers' point of view—we want as low cost a service as possible, but constant emphasis has been placed on the safety of the service. I resent the notion that in future under a privatised scheme there will be more examples of bad practice, dangerous accidents and damage to people and services. It is not beyond the recollection of many hon. Members—I do not want to make a political point on this—that there have been major disasters in the past, such as at Hither Green and Harrow and Wealdstone. We must be careful about making points about safety, as that can be deemed to be scaremongering. I am sure that Opposition Members would not wish to do that, and we must be careful about the extent to which we refer to safety.

Mr. Wilson: If postulated in that way, such claims can be deemed to be scaremongering. Does the hon. Gentleman not understand the distinction between saying that private operators are less likely to operate a safe regime—which is not the argument—and saying that a fragmented railway is inherently less safe than an integrated railway? If he needs further evidence of that, he should look at the Health and Safety Executive's report on rail privatisation, which said that a fragmented railway was likely to lead to more serious accidents than less. The report then made 38 serious recommendations to counteract that possibility. Is it responsible for a Government to put in place a railway that is inherently less safe than the one we have at present?

Mr. Dunn: The point that I was trying to make is that however much every hon. Member hopes for the minimum number of accidents, the fact is that—in its earlier nationalised state—there were accidents on the rail network. It is wrong to pretend that there was a golden age, and I hope that Opposition Members are not trying to pretend that there was.

Any debate on privatisation is bound to show clear blue water—the clear philosophical difference between the Conservatives and the Opposition. This debate on rail privatisation is no different from many of the debates that we have had in this House in the past 17 years, with—I am sorry to say—the same predictable estimates of gloom and doom, full-blown rhetoric, half-facts and scare stories from the Labour party. Why does Labour do it? It is fed partly by Labour's deep-rooted hostility to free enterprise and partly as a result of instructions from the vested interests—the trade unions that sponsor many Opposition Members.

I am sorry that the hon. Member for Hampstead and Highgate (Ms Jackson) is not here, as I was going to refer to her statement that she is no longer sponsored by ASLEF and is therefore able to speak in any way that she

[Mr. Dunn]

likes. Her constituency party, however, is now sponsored by that union. The extent of that sponsorship is there for all to see. When she last registered her sponsorship, her constituency party received £5,500, and 80 per cent. of her election expenses were paid by the union.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Will the hon. Gentleman tell us who contributes to his election expenses, what firms he is connected with and what speeches he has made in this Chamber that vaguely reflect some of his involvement in industry?

Mr. Dunn: The hon. Lady knows that I am a great admirer of her—from afar. If she checks the Register of Members' Interests, she will see that I am sponsored by no one. I receive no sponsorship, and I have no outside interests. I speak entirely for the people who elected me—the people of Dartford. I understand her point, as clearly union sponsorship is a huge embarrassment to Labour. It is clear that any sponsored hon. Member is bought—not in the direct sense of money changing hands, but indirectly. Undue influence—or due influence—is brought to bear on individual Labour Members who have representatives from the unions that sponsor them sitting on their general management committees. If the hon. Member does not do what the union likes, he is called to account.

I was referring to scare stories, and I shall give two examples from the past. The House may recall the debates in the early 1980s on the privatisation of BT. During one such debate, the right hon. Member for Salford, East (Mr. Orme) said:

"The public telephone box could be threatened with extinction."—[*Official Report*, 18 July 1983; Vol. 46, c. 41.]

The truth is that the number of BT call boxes has increased by more than 50 per cent. to 127,000, 96 per cent. of which work at any one time compared with 75 per cent. in 1987.

The second example concerns British Airways. The hon. Member for Glasgow, Garscadden (Mr. Dewar)—who has just walked into the Chamber—said in a debate on the Civil Aviation Bill that British Airways

"will be the pantomime horse of capitalism if it is anything at all."—[*Official Report*, 19 November 1979; Vol. 974, c. 125.]

Mr. Donald Dewar (Glasgow, Garscadden): That was 16 years ago.

Mr. Dunn: It may have been 16 years ago, but the hon. Gentleman is as wrong now as he was then. British Airways is the world's favourite airline, and carries more international passengers than any other carrier—some 6 million more than its nearest competitor in 1993. We know what the Labour party wants. As the hon. Member for Burnley said—with the characteristic honesty and frankness that has made him famous throughout Burnley—Labour wants a state-controlled rail monopoly, run for and by the trade unions. We want a rail service that is modern and dynamic, run for and responsive to the needs of the British travelling public.

Opposition Members have referred to opinion polls. We can all quote opinion polls in aid of our argument. *The Guardian* of today's date contains two interesting articles. One is about the leaked letter from Mr. Welsby. The one underneath, which I would like to know more about, is headed "Short taxed again by Blair lecture". If that relates to the meeting between the shadow spokesman and the Leader of the Opposition, I really would like to know what commitment she had to give to him, but alas I am sure that we will never know what went on.

The first article refers to the leaked letter dated 2 April to Sir Patrick Brown from Mr. John Welsby. It outlined a number of concerns about the prospectus. The article says that a spokesman for the Department of Transport said:

"Sir Patrick has responded to Mr. Welsby and is satisfied that all his fears have been allayed."

The article goes on to refer to an ICM poll that was taken between 12 and 13 April last. It asked 1,200 adults aged 18 and over whether they thought that when British Rail was fully privatised services would be better or worse or they did not know. The result was that 33 per cent. believed that services would be better, 20 per cent. did not know—they were neutral—and 47 per cent. believed that services would be worse. My arithmetic is as good as anyone else's and I conclude that 53 per cent. were either neutral or thought services would be better and a minority—albeit a substantial one—of 47 per cent. thought that services would be worse.

The next question was whether those interviewed thought that when British Rail was fully privatised services would be safer, less safe or did not know. The result was that 34 per cent. thought that services would be safer, 24 per cent. did not know and therefore must have been neutral and 43 per cent.—still a significant minority, but fewer than in response to the previous question—believed that services would be less safe. It is interesting that the opinion poll commissioned by *The Guardian*—a paper not sympathetic to my point of view—gave that result.

Mr. Wilson: Read the next question.

Mr. Dunn: I have some difficulty with the next question because, unfortunately for *The Guardian*, not all the figures add up to 100 per cent. For the first question the figures add up to 100 per cent., for the second they add up to 101 per cent. and for the third—whether services would be cheaper, dearer or they did not know—they add up to 99 per cent.

Mr. Wilson: Give us the figures about fares.

Mr. Dunn: I must be in control of my own track on this matter rather than respond continually to the hon. Member for Cunninghame, North (Mr. Wilson).

Opinion polls play a significant part in the thinking of the Labour party today. If Labour Members are motivated in their desires by an opinion poll of this sort, which they would say gave some credence to their ideas, what about the opinion polls in which 75 per cent. of those polled say that they believe that there should be a return to grammar schools? Why do they not take that into account? Labour Members are making highly selective use of opinion polls on this occasion. If they ignore opinion polls that call for the return of grammar schools and the restoration of capital punishment or come out against a federal state or a single currency—all the things that any hon. Member may care to adumbrate in a speech—why do they single

out this example? Why do we have the Labour party wholly run by opinion polls on this issue? It makes out that it responds to every issue on which the public express an opinion.

Mr. Wilson: Will the hon. Gentleman give way?

Mr. Dunn: No. I am about to make an entirely new point.

Not too much mention has been made today about the fat cats. I thought that we would get a certain amount of that. I wonder why. It is interesting. I think there is a problem here. Fat cats in the former privatised industries are one thing, but what about the fat cats in the private sector per se? The Labour party complains about those who receive large salaries for having huge responsibilities. It does not complain about the chairman of ICI or the chairmen of the boards of J. Sainsbury or Marks and Spencer, but they complain about people who have huge responsibilities elsewhere. It is a fair point and they can make it as often as they like, but what about the fat cats who support the Labour party?

What about Maureen Lipman, Melvyn Bragg and Ken Follett, who earn hundreds of thousands of pounds a year? We have to be careful in our attitude to fat cats. The Labour luvvies, whom Labour Members love to adore, are the fat cats who pay for the champagne parties that they all go to.

Mr. Terry Dicks (Hayes and Harlington): Who elected their leader and pays for his expenses?

Mr. Dunn: I do not know about that. I am sure that my hon. Friend can make that point in a different way. It all comes down to the fact that the Labour party has not changed. It is still being run for the unions and by the unions; Labour Members' links to the unions are their Achilles' heel. Do not claim victory yet. There is a long way to go to the next general election. When people start to see the traditional links between the Labour party and the trade unions and the range of activities that will count against it, it may well be in deep trouble.

A little has been said today about the esteem of the workers. A newly privatised rail service would give those who work in the railway service a chance to be proud of the work that they do. Railway workers will not be the music hall joke of the past. They will not be the butt of the joke at the dinner party. They will be given a real chance to show that they can work with efficiency, pride and determination in a privatised system. I am sure that they will do that.

Labour opposes privatisation for the railways today, as it opposed every other privatisation. It believes in nationalisation, public control, levers of power and giving more powers to the regulator—about which the hon. Member for Birmingham, Ladywood (Ms Short) made a thin point. I am not sure what all these levers are going to do and what these notions will bring about. Nationalisation is Labour's only policy and it has proved a failure. Therefore, I urge all my hon. Friends to support the Government's amendment tonight.

7.5 pm

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): I must begin with an apology to you, Madam Speaker, and to the House. As the Government refuse to debate transport in their own time, Her Majesty's loyal Opposition frequently have to use the time allocated to them for debates on transport. Those of us who have a specific interest in transport were upstairs in the Select Committee on Transport when this debate began. I apologise to the Secretary of State for not having heard his speech. I hope that the Minister for Railways and Roads, as well as the Secretary of State, will not think that I am being unduly familiar if I say that I have heard them once or twice before on the subject. I can quote almost verbatim most of the well-worn excuses that they trot out on every occasion.

Mr. Watts: Without wishing to be discourteous, I could say that the feeling is mutual.

Mrs. Dunwoody: I am happy to continue the relationship until the Minister leaves us at whatever point, either because in his Department the only thing that is certain is that there will be a rapid changeover or because the electorate finally get the opportunity to express too plainly their views on the Government's policies on transport and on every other aspect of their political programme.

The reality is that tonight we have one simple and important case. It is nothing to do with the absurdities that we have heard this evening. It is a charge of bad faith. That is the simple, essential charge against the Government. They came to the House of Commons, not in one debate but in many weeks of debates in Committee, and said consistently that they would privatise the railways and bring enormous benefits to the customer and everyone working in the system, but that in order to do so they would not privatise Railtrack. Railtrack, we were told—the core of the system—would remain within state control. That was the constantly reiterated argument.

The Government admitted that they intended to fragment and flog off all the other bits, always to the advantage of the people buying the assets, and every known piece of land to a private company, but they said that that should not worry anyone because Railtrack would remain within the state system; it would not be immediately privatised. The Government soon discovered that from their point of view that was not an acceptable plan. The reason was terribly simple. The privatisation had been forced with indecent haste. It had so little to do with the subject matter that sometimes it gave a certain legitimacy to suggest that the Government were doing it because they cared about transport. The reason they were doing it was very simple: they wanted to fill their coffers before the next general election. There are still Conservative Members—not many—who have a sense of responsibility to their constituents and who know that what is proposed is totally unacceptable and unworkable. Tonight they will have their last chance to vote against it.

The reasons against privatisation have been adduced so often and in such clear terms that we do not have to say to people, "Look at what has happened since privatisation, look at the problems with the safety case, look at the difficulties with people who we were sure were going to produce new rolling stock and improve facilities, and look at what is already becoming clear," because those things are already plain to the travelling public. People who use Euston station have no doubts about the problems and difficulties that arise as a result of privatisation. They can tell us that every train is late—up to 94 minutes late.

[Mrs. Dunwoody]

It is far worse than that. In their period in office the Government have consistently followed one plan in relation to the railway system—to capitalise on the assets and to get rid of the amount of money paid from the Treasury for the maintenance of the transport system. That is why it is quite funny to listen to Conservative Members saying, "Look at the other side of the channel and at what is happening in France. They have got a good system—we do not have one like that." Of course we do not have a system like that in France—it has a socialist Government who put money into infrastructure.

In my constituency, British Rail Engineering Ltd. was sold—a firm that not only was capable of producing high-quality rolling stock but had a long experience of doing so. All the information structures—information services that provide high-quality management control to the British Rail network—were sold off to private departments. A series of small depots were hived off in a way that somehow showed that they were expected to take vast amounts of maintenance work from the old workshops. Of course, because the Government reneged on their promises about the amount of money that they would make available—both for the rolling stock and for the development of new systems—all the people who bought state assets have been faced with the reality that the Government did not mean what they said.

The firm that bought BREL in my constituency was assured that because it was a private firm it did not have to worry—there would be a big order book and there would be a lot of new rolling stock. They were told by the Transport Select Committee that there would be a hiatus for a minimum of three years if privatisation went ahead. However, that was ignored. The private buyers were told, "Don't worry—all the new rolling stock is needed, all the new contracts will be placed and all the new private buyers will find that they are making a large amount of money."

That did not happen at all. Not only was my constituency decimated in terms of jobs, but the constituency of my hon. Friend the Member for York (Mr. Bayley) was so badly damaged that thousands of people lost their jobs. Derby is in the same situation as Crewe. I am referring to rolling stock, which is just one side of it.

The Government have created a highly complex system of financing and they are not prepared to remind the electorate that at the end of all this—when the Government have sold off every platform, every station and every square yard, when they have managed to cheat all the existing employees out of their rights to have any say in the future of their industry—they will still come back to the House and demand more than £600 million extra subsidy for the private system. That is what is happening—that is total effrontery.

The Government are not concerned with creating a modern transport system and they never have been. Their simple aim was to cut down the amount paid by the Treasury in subsidies and to rearrange it in such a way that when it went to the private sector it was not nearly as obvious how much their colleagues in the City were going to walk away with. That is what they have done—and very successfully.

The Government have deprived my constituency of trained jobs, they have deprived the railway system of rolling stock and they have fragmented the basic core railway in such a way that there are real problems with safety, development and management. They have undermined the morale and the future of the people working in the industry and, in return, they have assured us that we do not have to worry about it and it will all be marvellous in the future. That is not only dishonest but unacceptable.

The hon. Member for Dartford (Mr. Dunn) said that we should look at what happens when people give their views to opinion polls and assess whether that is something that we should worry about. I remind him of an opinion poll that was much more effective: the one for the by-election last week. If that does not make him and his colleagues think seriously, there is absolutely no hope of their treating this subject with the importance that it deserves.

When we go into the Division Lobby tonight, Conservative Members ought to consider strongly the charge of bad faith. It is something that their constituents will hold against them. People are not stupid. They can work out that if the Government sell off Waterloo international station, plus all the land around it and all the benefits of the Euro-line and rolling stock, they are not handing away a debt but giving a positive benefit to a private developer. People do not have to be told that privatisation is a great success—they have only to look at the water service utilities and at the Japanese flag flying over the Greater London council building to know what the reality of privatisation is under this Government.

I am deeply angered by the Government's cynicism and their refusal to take the interests and the needs of their constituents into account. I find it difficult to behave as though Parliament can accept the totally superficial and embarrassing level on which some speeches have been made tonight. To me what is important is that the transport system is being wrecked for purely ideological, purely unacceptable and deeply ignorant reasons. I can only say to Conservative Members: on their heads be it. Frankly, the electorate have noticed what they are about and they do not like it.

7.17 pm

Mr. David Tredinnick (Bosworth): Towards the end of her speech, the hon. Member for Birmingham, Ladywood (Ms Short) accused the Government of creating something far worse than the old British Rail. As she said that, I had a vision of her standing at the Dispatch Box when we debated the gas privatisation legislation. I heard her saying, "Today the Government are creating something far worse than the gas board"—we can now look back and see that the price of gas has gone down 25 per cent. for domestic users. I then saw the hon. Lady speaking on the electricity legislation; domestic prices for electricity have fallen substantially—and they fell in the first three years post-privatisation.

Mr. Wilson: I am not sure whether the hon. Gentleman is interested in historical accuracy, but he will get some. Will he confirm that the price of gas is higher than it was when the Tories came to office in 1979 and started to force gas prices up pre-privatisation? I pre-empt his next

remarks and ask him to confirm that, since privatisation, the electricity industry has given less to the Exchequer in tax proceeds than it did prior to privatisation in profits.

Mr. Tredinnick: I shall not trade statistics with the hon. Gentleman, but the gas control centre for the southern part of England, which I visited recently, is in my constituency. There is general agreement that consumers have benefited from gas privatisation and that prices have come down.

Consider the privatisation of British Airways, a remarkable global company. My hon. Friend the Member for Dartford (Mr. Dunn) quoted what was said by the hon. Member for Glasgow, Garscadden (Mr. Dewar). What would the hon. Member for Ladywood have said then—that the Government were creating something far worse than the old British Airways? That is nonsense. All the privatisations that have been conducted under my right hon. Friends the Prime Minister and Baroness Thatcher since 1979 have benefited the consumer and cut the drag on the taxpayer. The old industries imposed enormous costs of about £55 million a week at one time, but they developed into profitable industries and many of them are taking on employees.

What about British Telecom? What would the hon. Member for Ladywood have had to say about "Post Office Telephones"—or was it "Post Office Telegraphs"? I forget. Where would Britain be today if our telecommunications network were still run by the Post Office? I remember selling computer and fax equipment in the 1970s when one could not get telephone lines. My hon. Friend the Member for Dartford referred to the problems with telephone boxes, but one could not even get lines installed.

Mr. Stephen Day (Cheadle): It used to take weeks.

Mr. Tredinnick: It took weeks. Businesses and private subscribers used to bribe Post Office engineers to stay in during their lunch breaks to put the lines in. The argument that privatisation has failed the consumer is simply not true. The hon. Member for Ladywood has got into a lot of trouble in the past few days over her proposal to put up taxes for the middle classes. She spoke with conviction, and the attempt of Labour party minders to muzzle her was not completely effective. She tried to commit the Labour party in its next election manifesto to a massive further increase in spending, because she talked about getting a high level of services by high investment. We know that she is against privatisation, because she has spoken against it this afternoon. Where will the high level of investment come from? It will come from the taxpayer. Taxes will have to rise if the sort of the investment that she outlined is to manifest itself.

This is one of the most important denationalisation debates in the four terms of this Government. Privatisation will vastly improve the quality of passenger services. I hope and believe that it will improve the distribution of freight, although there is a much work to be done on that. If we get freight right, the cost to businesses across the board will be reduced. I agree with the hon. Member for Eastleigh (Mr. Chidgey) that the Bill is important from an environmental perspective. Environmental issues are, generally speaking, of greater concern to the public than they were a few years ago, and that concern will increase.

What about the quality of service for passengers? When I went to buy a ticket from British Rail, I always felt—especially at main line stations—that I was doing the man behind the counter a favour. The attitude was that I was jolly lucky that he was selling me a ticket. I always resented that and it was quite wrong. Under British Rail, the railways have been run as much for the employees as for the passengers. I do not dispute what the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) said about the case for looking after employees. She and the hon. Member for York have argued that case eloquently over the years. Nevertheless, in considering the national railway system the passenger and related issues must be the overriding concern.

My right hon. Friend the Secretary of State outlined the improvements that have already been provided under the privatisation proposals that have been implemented so far. I will not run over all his points, but he mentioned that South West Trains had introduced new bus services and new waiting rooms. The hon. Members for Hampstead and Highgate (Ms Jackson) and for Burnley (Mr. Pike) complained about the lack of facilities and waiting rooms. The truth is that the newly privatised companies are proposing to put in new waiting rooms on those lines. That is how to attract ladies to travel at night and stop the fear to which the hon. Member for Burnley referred.

I will go further and say that privatised services will reintroduce conductors in certain carriages to ensure that people travelling at night feel secure. Other improvements have been mentioned, such as the new motorail services that Great Western has in mind and the South West Trains proposal to put services through to Salisbury and Epsom. Great Western has a significant proposal to put brand-new rolling stock on its express trains.

Labour Members have argued that there will not be any rolling stock improvements and we have heard a lot about banging doors. The facts are different; they are in the public domain and available in the Library. Already some of the services, including Great Western and the Gatwick express, are committed—by 1999 for the Gatwick express—to have completely new rolling stock.

Isambard Kingdom Brunel would have been proud of the newly privatised Great Western. He built that railway to a higher standard than those in the rest of the country with a 7 ft ¼ in gauge. It is a lasting sadness that Parliament decided that that gauge should go. If Great Western decides to run an improved service to the west country, it has the benefit of wider tunnels. The tunnel under the Bristol channel was built to the 7 ft ¼ in gauge for two lines; Sonning cuttings is built for the same gauge. It is possible to run wider trains out of Paddington into Bristol Temple Meads. There are many possibilities of taking ahead Brunel's vision on the west country lines.

I mentioned the possibility of conductors being used on services. Consider the rail infrastructure in New York. On the line that runs from 666 Fifth avenue in the middle of the midtown commercial residential area, the E train that goes to the major airports has guards and special facilities to help passengers. That was done to build confidence in the system. The way forward is the flexibility of the newly privatised companies that will enable additional services to be provided—not a reduction in services.

Privatised railways tend to attract passengers. Two lines run from the centre of Tokyo, the capital of Japan, to the airport. The nationalised railways, which we know are

[Mr. Tredinnick]

wonderful, include the Shinkansen high-speed rail system which runs around all four islands of Japan. It is one of the finest in the world, but there is also a private line that runs on a snake-like route through the suburbs. I travelled on that line a few years ago. It is a miracle of inventiveness because it is a terrible piece of track, but it is managed in such a way that it is run as a non-stop service despite going through level crossings right through the Tokyo suburbs. It has proved to be a better service and is more popular because it is more carefully managed. It provides what the people want.

One surprising, although significant, aspect of rail privatisation is that the companies that are taking over parts of the network have decided not to create new names, logos or brands, but are using names that go back at least 50 years. Great Western and Great Northern are a return to the groupings that existed before the London and North Eastern railway. Another is Great Eastern. They are names from 50, 60 or 70 years ago.

Why do people still look back to that era as a model to emulate? The straight answer is that those railway companies were run by people with immense pride—by the families who were associated with them. Lord Portman was the last chairman of the Great Western railway and he rode on the footplate at least once a week on his main line—*[Interruption.]* I will give way to the hon. Lady if she disputes that.

Mrs. Dunwoody: I think that the hon. Gentleman has just encapsulated the seriousness with which the Conservative party treats the debate on transport in 1996.

Mr. Tredinnick: I am glad that I gave way to the hon. Lady. I was pointing out that the most important person in the company used to ride on the footplate with the engine driver and the fireman to find out how the service was running. I do not believe that that is happening in the nationalised railway of today.

Mrs. Dunwoody: He was running his office while riding the train.

Mr. Tredinnick: If the hon. Lady wants to intervene again, I shall give way.

Mr. John Heppell (Nottingham, East): Can the hon. Gentleman tell us how many times Bob Horton has been working on the footplate in the past year?

Mr. Tredinnick: The hon. Gentleman is trying to make a point, and I do not blame him for that, but I said riding on the footplate, not working.

Why were those railway companies held in such high regard? Why did they have that esprit de corps? I am provoking Opposition Members. I will give way to the Labour Front-Bench spokesman.

Mr. Wilson: The merest twitch of a muscle and the hon. Gentleman offers to give way. It is very encouraging. We are on a serious point. Let us get a little consensus. Will the hon. Gentleman join me in condemning any of the franchisees that reduce the two-man operation of trains to single-man operation by removing the guard?

Mr. Tredinnick: The hon. Gentleman is very ingenious in somehow linking the good name of the Great Western and Great Northern railways with the two-man system of driving and guarding trains. I do not want to be drawn into a debate.

Mr. Wilson: We are in a debate.

Mr. Tredinnick: We are, and the facts are that some trains can now be run without two men—that happens on the underground in London because of the improved signalling system.

There will be a different level of service on the new railways because of the new blood that is coming in. I shall give two examples of that new blood. A French company is buying in—I should say investing—as is an American company with much experience. That transfusion of new ideas is in no way detrimental to the interests of passengers or of anyone else in this country, and I foresee extra employees on trains.

On the Japanese Shinkansen system, a trolley of food and drinks is constantly taken up and down the carriages and there are telephone services. I understand that Virgin is going to introduce telephone and even television services in the first class section. That is the way to get passengers back. Those needs have to be serviced with such facilities.

My hon. Friend the Member for Chorley (Mr. Dover) and I had the honour of serving on the Select Committee on the Channel Tunnel Rail Link Bill. As you will be aware, Mr. Deputy Speaker, consideration of that Bill took longer than the Great Western Railway Bill in the 19th century. I think that the Committee sat for 300 hours. In fact, we sat for a year—long enough to walk from here to Madrid at a leisurely pace across the Pyrenees with a short stop in Paris. It was an instructive experience considering the difference between the French and British rail networks and the problems of the network in Britain.

Looking to the future, if we imagine Britain's rail network coming into London as the branches of a tree, the channel tunnel rail link, when it is built—and it will be—represents the trunk. As people and freight travel down that high-speed rail link, it will become increasingly important for Britain's links with Europe and its prosperity. That new and vital railway is to be built, not by the state but with private money and to a very high standard. That is another reason why the railways should be privatised. It is incompatible to run the east coast, west coast, midland, Great Western and southern main lines—the five main groupings—as state industries when there is a tendency in Europe towards private systems, which are more effective.

The principal hub in London will be at St. Pancras and there will be another at Waterloo. With the privatisation of our railway companies and the new CTRL line, we will have a dramatically improved service for everyone. Bringing the west coast main line into St. Pancras—the Channel Tunnel Rail Link Bill Select Committee did not recommend that, but the company that is to build the line has volunteered to do it—is significant and important for all hon. Members whose constituencies lie on or near that line.

I must refer to two more issues, freight and the environment. First, one of the great catastrophes of the post-war British rail network has been the decline—one might say the demise—of freight. It is appalling that so little freight is carried on British Rail. In fairness to

British Rail, it has been difficult. The improvement in the road network has been a disincentive, but British Rail's pricing policy and the quality of the service has been poor. If we are to be competitive in Europe and to get our goods over there, we need the enhanced system that the channel tunnel rail link will bring. I certainly welcome the proposed new freight terminals—the one near the M1 and A5 near my constituency will be significant. Through privatisation, I hope that we will not only enhance passenger services but make it easier, cheaper and of greater interest to businesses to put freight back on to rail.

Secondly, on the environment, people are increasingly concerned with environmental matters. The road programme is being cut and there is huge concern about fumes and congestion, as well as worries about protecting our countryside. I do not think that we will see improvements in the scale of the network, which is expanding again, or in the quality of rolling stock and equipment in a nationalised industry. For example, one notices quite a lot of pollution when travelling on diesel trains and I think that the denationalised private companies will start to filter the air on trains—*[Interruption.]* It is perfectly possible and the public will demand it.

My hon. Friends have referred to improved facilities for the disabled—I think that my hon. Friend the Member for Dartford did so. People demand and expect better facilities for disabled people, and that is absolutely right.

The midland main line goes through Leicestershire and I hope hon. Members will forgive me if I briefly refer to the importance of that line. National Express is the preferred bidder and I understand that the bid is with the Office of Fair Trading. To understand the possibilities for the midland main line when it is privatised, my constituents must consider what has happened with Great Western, South Western and the other lines that have already been privatised.

A betting person would have to say that, given the new facilities that have been introduced, many benefits will flow to the midland main line, which goes from London St. Pancras to Leicester and on to Sheffield. I expect a much enhanced service. Having served on the Select Committee on the Channel Tunnel Rail Link Bill and having always taken a great interest in railways, I look forward to pressing National Express, if it wins the franchise, to provide the kind of service that my constituents expect. If it wins the franchise, that company will have a wonderful opportunity in that the service will finish at the new and soon to be much improved St. Pancras terminus.

Privatisation is the only way forward for Britain's rail system. It will greatly benefit passengers and will enormously enhance their lives and the quality of travel. Privatisation is also vital if we are to get freight back on to the network. It is a disgrace that so little freight is carried by rail. We need to attract it back to the railways to take the pressure off the motorway or road system. The public now have a greater awareness of and interest in environmental matters, and privatisation of the railways will improve the environment, something to which we all aspire.

7.40 pm

Mr. Hugh Bayley (York): The hon. Member for Bosworth (Mr. Tredinnick) concentrated more on the railways and associated matters than many Conservatives who have contributed to today's debate. He spoke of freight, but the pathfinder prospectus for the sale of Railtrack states that the carriage of freight on the railways has declined for several reasons. One is the collapse of heavy industry in this country—it is mainly heavy materials that are more suitable for carriage by rail rather than by road—and another is the Government's decision to increase to 44 tonnes the size of lorry allowed on our roads.

To say that privatisation will magically shift freight from road to rail, which needs to happen for environmental reasons, and to say that without any evidence of the policy changes to make it happen, is simply to express a pious hope. We need those policy changes, but it will be harder to introduce them when the freight companies are not run by the Government.

The hon. Gentleman said that the quality of service on a publicly owned system is poor and inevitably poorer than on a privately run system, but that is not so. His examples of what a private company could do are already being done by a public sector British Rail. There are telephones on trains—I use them every week going up and down to York. I say "telephones" because there are more than one. A trolley service goes up and down the train offering tea and coffee, and there are complimentary seat reservations.

The man who used to run the east coast main line service travelled on it every day. Unfortunately, he has not won the franchise to run the service. When he ran it as a British Rail service, it made a profit of £76 million a year, which went to the Treasury or to British Rail's coffers and was recycled to provide other services that needed a public subsidy. The person who has won the franchise to run the east coast main line will be paid a similar sum to run the service but he will be subsidised by the Government instead of contributing the profits to the rail network.

It is not true that all public rail services are bad and all private rail services are good. Rail services in which decent investment is made are good and those in which it is not are bad.

The Independent yesterday carried an article stating that Railtrack's executive directors will pick up bonuses this year that could double their salaries. That will cost almost £1 million a year. According to *The Independent*, the bonuses will be paid in Railtrack shares.

From the hon. Member for Dartford (Mr. Dunn), who has now left the Chamber, we heard the new politics of envy—the Conservative party saying that it is deeply upset that a number of successful business people are contributing to the Labour party. The hon. Gentleman felt that that was a disgrace.

The public in general are angry about the telephone number salaries of directors of recently privatised companies. They are surprised because those directors are doing broadly the same jobs as they did when they ran public sector water companies or various public sector utilities. In the main, their jobs are substantially different from those of directors in sections of the economy that have always been in the private sector.

If a company is manufacturing a product in competition with another company manufacturing the same product, it is perfectly reasonable for someone to be rewarded if he takes market share from the competitor, but the vast majority of the newly privatised utilities are private monopolies.

[Mr. Hugh Bayley]

A senior manager of a big food company in my constituency recently told me that he was seething with anger at the way in which the bosses of the privatised industries had inflated their salaries two, three or fourfold. He was angry because he said that they are not engaged in competition. They work in monopolies and can simply abuse that monopoly to pay themselves more.

The public will therefore perhaps not be surprised by the news in *The Independent* that Railtrack's executive directors are getting on the gravy train with which we have become so familiar. However, I am surprised because of the answer to a question that I asked on 23 October last year. I asked the Secretary of State:

"how many shares and share options will be issued free or at a reduced price to Railtrack directors when the company's shares are put on the market; what he estimates the total value of directors' free shares and discounts will be; and how many directors will be eligible".

I received a simple, straightforward answer from the Minister for Railways and Roads:

"There will be no share options for Railtrack directors."—[*Official Report*, 23 October 1995; Vol. 264, c. *581*.]

However, we now find that the directors are to double their salaries and that that doubling will be paid in shares.

The pathfinder prospectus, which was issued on Monday, is meant to promote the sale that we are debating, but it reads more like a dodgy estate agent's list of property particulars. We all understand the technique. Such particulars say, "This property has panoramic views", which means that the sunlight is blocked by the gasworks; or they say, "This property has excellent letting potential", which means that it is not suitable for owner-occupation. That very technique is used in the pathfinder document.

The important thing about the 250-page document is not what it says but what it skates over, weaves around, or leaves out. For example, page 15 states:

"It is Railtrack's policy to develop its property portfolio with a view to maximising the benefits to Railtrack's customers and shareholders."

One might have thought that that was a good thing and that perhaps customers might benefit, but the customers are not the passengers. According to the small print, the customers are the 25 train operating companies. In other words, the privatised train operating companies and Railtrack shareholders will get the benefits of the sale of Railtrack's property assets; the travelling public will not.

Railtrack's relationships with the train operating companies were graphically illustrated last autumn by the pathetic pantomime of the publication of BR's winter timetable, which was found to be so riddled with errors that Railtrack was forced to print a 400-page revision. It contained so many errors that Railtrack then published a further 91-page correction. Hon. Members may think that I refer to that incident to make a gratuitous sideswipe at the way in which Railtrack has been run, but I do not raise it simply for that reason. The implication is obvious: Railtrack failed to do the job that British Rail, as a public sector company, managed to execute perfectly twice a year for a long time.

Mr. Hawkins: Surely the hon. Gentleman will concede that British Rail, as a nationalised organisation, was forced to publish substantial corrections to its timetables on several occasions. It certainly did not always have a perfect timetable. If he wishes, I can give him chapter and verse of the many occasions on which British Rail was forced to publish supplementary corrections.

Mr. Bayley: I have seen supplementary corrections to the BR timetable: they are usually quite small and printed on newsprint-type paper. British Rail never published a 400-page correction so riddled with errors that it was followed by a further 91-page correction.

That was a classic failure by Railtrack and it is important to the debate because the timetable is the core document in Railtrack's business. The timetable is enormously important to passengers, who are having difficulty working out when trains will run because of that fiasco.

Page 10 of the prospectus states that Railtrack's principal customers are the train operating companies. It says also that 94 per cent. of Railtrack's income is derived from track access charges, which are based on train movements. The overwhelming majority of train movements—about 99 per cent.—are set out in the timetable. If Railtrack cannot specify train movements correctly in its timetable, it cannot bill the train operating companies correctly.

As the timetable is central to Railtrack's business, the regulator takes an interest in how it is prepared. The regulator has produced track access conditions requiring Railtrack to publish six times a year a timetable—upon which the public timetable is based—for those working in the industry. Linked with the six editions of the working timetable are three consultation and bidding rounds for the train operating companies. As required by the regulator, they receive a draft timetable and they may then bid for changes to it.

As Railtrack is completely unable to run the system properly, the Rail Regulator has been forced to reduce Railtrack's obligation temporarily from six working timetables per year with three bidding rounds to two timetables per year with two bidding rounds. He describes that as an interim measure. However, if one refers to page 31 of the prospectus, one can see that Railtrack believes that it will never manage to meet the Rail Regulator's timetabling conditions. Therefore, it intends to ask for the interim measure to become permanent.

Why is that necessary? As Labour Members warned when the Railways Bill passed through the House, Railtrack has found that a fragmented railway—with many different, competing companies reaching agreements and billing each other for services—is much more difficult to organise and to operate than the vertically integrated, single national railway that existed under the BR system. Therefore, at the heart of Railtrack's business is the computer system into which the train operating companies enter bids for train paths and by which Railtrack bills companies for the paths that they use.

That computer system is ready to crash: it cannot meet the Rail Regulator's requirements for 18 bidding rounds a year and six working timetables. Railtrack intends to ask the Rail Regulator to reduce the 18 bidding rounds to four, as that is all that it can cope with. It also wants to reduce the number of working timetables from six to two.

The old system BR operated was relatively simple: the Protim software system managed train paths in each of the eight BR regions. Information was fed into that system and the timetable was produced. As the operation of the rail system is much more complicated nowadays—companies do not simply register a single journey, but are billed for a journey stage by stage—and as rebates must be paid when the service provided by Railtrack does not meet the specifications agreed with the train operating companies, Railtrack has contracted a computer software company, SEMA, to design a new software system to run its computerised heart.

The system is called A-Plan. Railtrack has spent about £10 million on it, but it does not work. As a result, Railtrack has been forced to go to the regulator and say, "The bidding process that you have specified cannot be met. We must change to a much simpler system not temporarily, but permanently".

Page 32 of the prospectus states:

"In producing each working timetable, information is transferred between Railtrack and the train operators, usually on paper."

It is transferred in that way because Railtrack's computer system cannot perform the task electronically. The prospectus continues:

"New computer systems which will allow more data to be transferred on electronic media within Railtrack and between Railtrack and the train operators are currently being developed and tested".

They are the computer systems that Railtrack was required to have in place and up and running before the sale, but it has failed to meet that requirement. Those are the sorts of dodgy, estate agent-type particulars in the prospectus. I am sure that lawyers have pored over it in detail and that the prospectus contains no information that is untrue. However, I am sure also that many points have been omitted and that many others are intended to mislead.

The Government do not seek to warn prospective investors of the dangers that they face if they invest in a project that has run behind schedule ever since the passage of the Railways Bill and has been devised as it went along. Despite running Railtrack as a public sector company for two years, the teething problems have not been resolved. Railtrack is being sold not as a going concern but as a body that cannot meet the Rail Regulator's requirements.

The computer system is not the only thing that is not ready for the sale. On Monday this week the Transport Salaried Staffs Association released the results of a survey of Railtrack managers. Some 82 per cent. of middle managers working for Railtrack oppose the privatisation of Railtrack and 51 per cent. of senior managers oppose its sale. Almost three quarters of Railtrack managers—73 per cent.—say that the Government should delay the sale. Many of the managers who responded to the survey wrote to explain their views. One of them wrote:

"Asset condition surveys and record updates won't be completed by April."

The prospectus admits that, albeit in a very roundabout way. On page 35, it states in relation to the asset condition of the track:

"Although Railtrack has limited data on ballast renewal requirements, the Directors believe that, based on the knowledge and experience available to Railtrack, they have been able to make a reasonable assessment of the likely rates of renewal of rail sleepers and ballast over the ten years from 1 April 1994."

The prospectus includes some figures, but admits that they are based on guesswork, not an engineering survey of the condition of the track.

In relation to route structures such as bridges, culverts, cuttings and tunnels, the prospectus states:

"Railtrack has undertaken a review of . . . the information it has on the condition of its assets. The Directors are satisfied that, notwithstanding the variable quality of the data currently available . . . they have been able to make a reasonable assessment of the likely requirements for the maintenance and renewal of route structures."

Again, that is based on guesswork.

People are buying into a business where the long-term costs are unknown and unquantified. That applies not only to route structures but to the backlog of maintenance of buildings, stations and signalling. All those issues were meant to have been spelt out before Railtrack reached the point of privatisation. That has not happened. Even to those who are in favour of privatisation it is clear that Railtrack is being privatised before it is ready.

In their response to the survey, the managers said that there were serious safety implications. One wrote:

"Safety systems are not ready."

Another said:

"No safety systems are in place. There is total chaos in my area—possession planning."

That is the business whereby Railtrack takes over the train path from the train operating company in order to carry out maintenance. He continued:

"It is an accident waiting to happen."

We should bear in mind that that was not a small survey; it covered 559 Railtrack managers.

The Government should heed the advice of managers in the industry that they are trying to privatise. If they do not do so, at least some Conservative Back Benchers—some of the 20 per cent. who say privately that they now have doubts about rail privatisation—should vote to delay the sale. In the words of a senior Railtrack manager, the sale

"is an accident waiting to happen."

I represent an important railway town that has been grotesquely affected by rail privatisation. York has lost some 3,000 out of the 4,700 railway jobs that existed when the Railways Bill was presented to Parliament. Many hon. Members have heard me talk about the loss of rolling stock manufacturing jobs, but jobs have been lost throughout the railway industry. There have been substantial job losses affecting those who maintain the track and infrastructure, the managers of rail services and skilled design engineers.

Despite that, and despite the serious consequences of rail privatisation on the economy of my constituents and the livelihoods of thousands of men and women and their families, I do not have a blinkered ideological view of the railways. I do not believe that public is right and private is wrong. I support partnerships between the public and private sectors.

The Labour party is not squatting on the ground of a private finance initiative. My right hon. Friend the Member for Kingston upon Hull, East (Mr. Prescott) proposed such a partnership and said that the Ryrie rules on public sector capital investment were an anachronism. When Ministers said that those rules were sacrosanct and

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could not be changed, the Labour party argued for change. Eventually, the Government saw the sense of that argument and introduced the private finance initiative.

The way in which the Government are going about rail privatisation will not bring extra investment into the railways; it will simply substitute private sector money for public sector money. The Government hope to raise £1.8 billion from the sale. Presumably, they assume that owners of private capital will want to invest £1.8 billion in railways in Britain. Why do we not encourage them to invest in our railways—in new rolling stock, new signalling systems, new lines, repairing the backlog of maintenance, putting right the repairs that are needed and improving the system and the quality of service to the public?

The £1.8 billion will not be spent on improving the railway system. It will simply buy the railway system that we have at the moment and any investment to improve it will have to be additional to that.

One might ask where that £1.8 billion will go if the rail flotation goes ahead and the money comes in. It will go to the Treasury and it will not be invested in the railways. It will be frittered away on one-off bribes to the electorate at the next general election in a desperate—and, I believe, forlorn—attempt by the Conservative party to garner enough votes to stagger on for another term in order to push through even more desperate privatisations of the Post Office and the few public sector investments and endeavours that remain after four Conservative terms in office.

If the Government really believe what they say and want investment in the railway and an improvement in rail services, they should invite the private sector into partnerships to invest in new schemes and improvements, instead of inviting it simply to take over the existing railway without a penny of the proceeds being spent on improvements and frittering away the resources that will be raised.

Instead of being spent on new infrastructure, the huge private sector investment that the Government are encouraging will be spent on maintaining the status quo. If one tenth of that £1.8 billion had been invested in new rolling stock, it could have paid for the new carriages that Kent commuters require and their representatives in the House have promised, and it would have provided them three years earlier. It would have provided two years' work at the York carriageworks, producing 250 new carriages. Why did the Government not go for private investment to provide a better railway? I have given an example of what could have been achieved with just one tenth of the money. If it had all been put into rolling stock it could have bought 2,500 new carriages or created the west coast main line.

Money can be spent only once. Once it has been invested in the existing railway system it will no longer be available to invest in a new system. Railtrack managers are saying that they are not ready for privatisation. Some of them are saying that safety is being compromised by an early sale. If Conservative Members are concerned about the quality of the railway for the travelling public, they should think before they vote tonight and vote to delay the sell-off.

8.9 pm

Mr. Peter Luff (Worcester): I begin by declaring a lack of interest and an interest. As to the former, the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) complained that the Government all too rarely allocate time to debate transport issues in general and railway issues in particular. The hon. Lady should cast her mind back to the various Supply days on the subject of rail privatisation during the course of this Parliament. Consistently in those debates, more Conservative than Labour Members have attended, and Conservative Members have expressed more passion about and interest in the railways. At one stage today, not one Labour Back-Bencher was in the Chamber except the individual who was speaking. That is the answer to the hon. Member for Crewe and Nantwich. The Opposition's lack of real interest in the railways should be registered.

I cast an anxious eye over the hon. Member for Cunninghame, North (Mr. Wilson), who makes a special point of picking up on hon. Members' interests. I declare my own. I have interests in organisations outside the House, but as far as I am aware, none of them has any link with railways. I advise one transport interest, the Chamber of Shipping, and I am extremely proud of that link. I also have shares in the Severn Valley Railway, which give me two third-class tickets each year.

I have shares in Eurotunnel, which I should probably have sold—but some false romantic attachment to the concept of the tunnel meant that I kept them. I used them for the first time for my free tickets to use the shuttle at the Easter weekend. Next time, I speak in the House, I will have shares in Railtrack to declare.

The hon. Member for Hampstead and Highgate (Ms Jackson) tried to get off the hook in respect of the accusation that she had failed to declare her interests when speaking in the debate. It is worth recalling that nine members of Labour's shadow Cabinet are sponsored by transport trade unions.

The hon. Member for Hampstead and Highgate told the House, in an ingenious piece of sophistry, that such support is no longer sponsorship because moneys are paid to constituency Labour parties rather than to Labour Members as individuals. I do not see the distinction. As I read the rules of the House, if a constituency association or party receives more than £500 from any outside body because of an individual hon. Member's candidature, he or she is obliged to declare it. That declaration must be made in exactly the same way as any other interest.

Mr. Peter Bottomley (Eltham): Is it true also that the Hastings agreement, from which many Opposition Members benefit, pays up to 80 per cent. of election expenses—which can be a sum of up to £3,000 or £4,000? As there are only two legal entities in an election, the agent and the candidate, does that not mean that they receive vast sums of money that are not specified in their declarations?

Mr. Luff: Sensing the mood of the Chair, I will not respond to that comment—except to say that I agree.

I welcome the debate as a good opportunity to get across the truth about the benefits of rail privatisation in general, and of the privatisation of Railtrack in particular. I shall quote several sources to prove the growing tide of realisation that the change will bring real benefits to the

travelling public. There is an increasing belief in the value of rail privatisation and that the Government will achieve their objective of getting the bulk of the railways into private ownership or management before the next general election, and increasing disbelief in Labour's ability to deliver or develop any credible rail policy. The hon. Member for Cunninghame, North must answer that charge when he winds up.

I read the motion in the name of the Leader of the Opposition in amazement. It states that the flotation of Railtrack will

"lead to short term profits being put before long term investment."

Do not the Opposition understand that the history of the railway system is that investment in it has been put second, often for reasonable reasons, to all the other many calls on the public purse, and that privatisation will exactly reverse that situation, allowing Railtrack, train operating companies and rolling stock companies to make the investment they deem commercially necessary—and to plan long-term for the first time since nationalisation?

I read with joy the confident words in the Government's amendment, which refers to

"a golden opportunity for the railways to gain access to the private finance necessary for investment."

That is the truth about privatisation, and we must confidently trumpet that truth.

The hon. Member for York (Mr. Bayley) spoke at great length, and about as slowly as some west coast main line trains have to go because of the engineering work needed on that line. The hon. Gentleman seems to think that privatisation will achieve only some kind of delayed status quo. He could not be more badly wrong.

As to the so-called fragmentation of the railways in preparation for privatisation, I see no such fragmentation. The network has been reduced to units that are more responsible to customers, which is a good thing. Lord Hanson is busy splitting up his conglomerate, to make it more responsive. He recognises that it is not necessarily a good thing to have a large company trying to do too many things in too many different spheres.

I have the highest regard for the members of the individual management teams that serve my constituency—particularly Roger Macdonald of Thames and Brian Scott of Great Western. Thames has not been privatised yet, but the bids are in, and I believe that the franchise is due to be awarded in November. The increased responsiveness of Thames to the travelling public in preparation for that change is a joy to behold. Some status quo.

I quote from the Evesham *Journal* of 4 April:

"It's all change on Sunday's trains.

Sunday morning trains are to be restored to the Cotswold Line from Easter Sunday, April 7.

Three extra trains each way between Worcester, Oxford and London will be introduced in a two-month earlier start to the summer Sunday timetable.

And more services are planned for the main summer timetable which will be launched in June."

Under the old nationalised, monolithic British Rail that Labour is so keen to protect, we were told for years that it was impossible to run Sunday morning trains, for all kinds of reasons to do with the expense of employing signalling staff on Sunday on what is, sadly, a rather under-invested line in terms of signalling infrastructure. Now Thames is providing that service, to the great benefit of the travelling public and of tourism in the Vale of Evesham and Worcester.

Mr. Andrew Mackinlay (Thurrock): I have been listening carefully to some of the hon. Gentleman's claptrap, and it occurs to me to ask him how he can utter such remarks now when he put his name to a Transport Select Committee report produced under the late Robert Adley that came out profoundly and unequivocally against the crackpot method of privatisation chosen by the Government. What has changed since the hon. Gentleman, as a new Member of Parliament, put his signature to that thoroughly researched report? Is it promotion?

Mr. Luff: I was foolish to give way to an hon. Member who has not been present for the debate but who made an opportunist intervention to prove to his constituents that he was representing their interests.

The hon. Gentleman is completely wrong. I put my name not to the report by the late Robert Adley but to a different report produced under the chairmanship of my right hon. Friend the Member for Southend, West (Mr. Channon). If the hon. Member for Thurrock (Mr. Mackinlay) will read the succession of speeches that I have made in the Chamber on the issue, he will see that my support for rail privatisation has been unshaken.

Mr. Wilson *rose—*

Mr. Luff: I will not give way to the hon. Gentleman, because he made a cheap slur against me the last time we debated rail privatisation. I do not feel inclined to give way to him again.

There are other changes for good on the railway that serves my county and constituency. They include improved timetables and better marketing, because there is for the first time an incentive to increase the number of passengers. There was no such incentive in the cosy old world of nationalised British Rail. The passenger service requirement for Thames currently out for consultation looks extremely encouraging.

As for Great Western, I share the joy that the spirit of Isambard Kingdom Brunel is being resurrected in my part of the country. The staff of Great Western share that pleasure. My right hon. Friend the Secretary of State for Transport, responding to the shadow Cabinet spokesperson, mentioned the share offer being made by Great Western to its staff. I am delighted to tell my right hon. Friend that 60 per cent. of Great Western's staff have put up their own money to buy shares in their train company.

The offer is one third over-subscribed. That means that 51 per cent. of that company is now in the ownership of the management or the employees. Those are the real stakeholders of the modern railway that we are building in this country.

Mr. Wilson: Will the hon. Gentleman give way?

Mr. Luff: No. I have made it clear to the hon. Gentleman that, after last time, the answer is no.

What else has Great Western done? It has achieved—it is an important achievement in itself—a smooth transition to the private sector. None of the passengers

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would be aware that the transfer had even happened were it not for the smiling presence of my right hon. Friend the Secretary of State on the footplate of one of the first 125s into Paddington station at the time of the privatisation. The totally seamless transition proved how easy the process is for people who know what they are doing, as the Great Western management team clearly does.

New products have been designed to make the railway more attractive, including business standard and business first. As a family man, I am especially keen on the new family carriage that is being introduced on Saturdays on Great Western trains. Parents with young children will be encouraged to travel, and it is hoped that the children will play with the other children. Activity packs will be provided from the buffet car, there will be a special children's food menu, and the company is considering the possibility of providing an entertainer on the trains.

Mr. Wilson: You should do it.

Mr. Luff: I would not mind volunteering for the job, because I would quite enjoy it. I have always wanted to volunteer to be Santa Claus on the Severn Valley railway, and I will do that one of these years, when I have the time.

I have given some examples of the way in which services are being improved. That is not the status quo of which the hon. Member for York spoke, but a better railway that is being built and promoted. A new Cotswold business manager is being appointed to promote the railway.

Great Western is refurbishing the railway stock. It is undertaking extensive refurbishment, not just putting a coat of paint on the outside of trains, as Opposition Members have sometimes tried to suggest. It is carrying out a substantial upgrade of the 125 stock, and it is considering the possibility of further investments in the fleet, improving service frequencies and increasing the number of trains. I suspect that the only constraint on the managers of Great Western trains will be the availability of 125 units, and they may have to consider more imaginative solutions to meet the demands that will be put upon them as they build a better railway.

I appreciate that the Opposition will want to dismiss what I am saying, because I am a Tory, and I would say it. But it is not just Conservative Members making such comments. Third party endorsement—by which I do not mean the Liberal Democrats—from individuals not directly connected with the railways or the House is growing. For example, Jonathan Prynn in *The Times* on February 7 this year, wrote:

"Impressive local managers, who for decades have laboured under the stifling corporatism of a state monopoly, are suddenly finding themselves liberated . . . Proper financial accountability is being established for the first time since nationalisation. Performance contracts set up to provide incentives for the train operators, Railtrack and the maintenance firms should deliver improvements in service."

He continues:

"Once the flotation"

of Railtrack

"is a fact, Labour's game is up. Railtrack is the keystone of privatisation, and once in the hands of millions of private investors, the sell-off will become a legal and financial nightmare to dismantle . . . If it succeeds, privatisation will deliver higher levels of investment, private/public sector partnership, "stakeholder" employee share ownership and improved public services after 50 years of underperformance—all Labour aims. The case for yet another round of upheaval in an industry that has suffered permanent revolution for the past decade"—

probably for the past century—

"would be unsustainable."

I have not always agreed with Andrew Neil, but he wrote an article for the *Sunday Times* on 11 February. He starts the article with an interesting quotation. He says:

"'Call us about rail privatisation,' pleaded BBC television's new Breakfast Extra programme on the day privately owned trains ran on Britain's railway network for the first time in nearly 50 years. 'We want to hear your fears about the future.'"

That has been the attitude of the media to privatisation.

I vividly remember receiving telephone calls from radio companies, television companies and newspapers asking for my views on rail privatisation. When I said that I was in favour of it, the phone was virtually put down at the other end. The callers did not want to hear the good news. A BBC programme—I think it was "You and Yours", but I do not want to malign the producers of that programme, and it may have been another one—before any rail service had been privatised, invited listeners to telephone with their complaints about the privatised railway.

I rang and lodged a complaint with the BBC about that gross misrepresentation of the truth about the railways. People were being invited to complain about the nationalised railway, not the privatised railway.

Andrew Neil continues:

"Fears? What fears? That the trains might now run on time? That somebody might have cleaned them before passengers boarded? That there is more to eat on board than a stale sandwich? That the buffet might actually be open? That surly staff might be replaced by people who welcome our custom? That clapped-out rolling stock might be replaced by spanking new carriages? That the railways henceforth might not be run entirely for the benefit and convenience of Jimmy Knapp's members or the jobsworths on the board of British Rail?"

He concludes his article by saying:

"Investment in public transport. New technology. Passenger protection. Penalties for the poor performance of private enterprise. Social subsidies. Even stakeholding. It reads like a new Labour tract. It is part of the absurdity of our party politics—borne of the public's phobia about privatisation—that the government is likely to get no credit for it, while Labour will continue to win cheap cheers by throwing bricks on the lines in an attempt to derail it."

I intend to ensure that Government get some credit for the undoubted success that rail privatisation will be.

How will the reorganisation work in practice? Contrary to suggestions by the hon. Member for York, it is working well. In my region, in addition to the two excellent managers of train operating companies, we have an excellent regional manager of the Great Western sector of Railtrack in Martin Reynolds. The new train operators and Railtrack are working well together, and they have no complaints about each other. That is as it should be. Railtrack is clearly achieving its objectives with the train operating companies, and ensuring that trains run safely and on time.

The great advantage of the new system is that Railtrack will focus on its customers, and train operators will focus on theirs. Privatisation of both halves of that equation can only sharpen that focus. Both halves of the equation have, for the first time since 1948, an incentive to increase

custom. That is what I passionately want, and a nationalised railway will never have an incentive to increase custom.

It was delightful to hear the hon. Member for Eastleigh (Mr. Chidgey) talk about setting targets for increased custom on the newly renationalised railway. Does he really expect us to believe that setting targets generates custom? It does not. Serving the customer well generates custom, and that is done effectively only by a private company. There are now two pressures to increase the use of railways and to replace the cosy, genteel and totally unacceptable decline of the old system.

Sadly, all too often in such debates, the focus is on passengers and we do not discuss the important role of freight traffic on railways. I am proud of the fact that, when I served on the Railways Act 1993 Committee, I secured the first amendment to that piece of legislation when I imposed on the Secretary of State and on the regulator a duty to promote the use of the rail network for goods. The word "goods" was missing from the Government's original clause. Rightly, the Government accepted that amendment, and now the Rail Regulator has a duty to promote the carriage of goods. I am delighted about that.

Mr. Heppell: Will the hon. Gentleman give way?

Mr. Luff: Yes, because the hon. Gentleman has been here for most of the debate.

Mr. Heppell: How much has the carriage of freight increased on the railways since his amendment?

Mr. Luff: That question rather misses the point. Wisconsin Rail, which now owns the freight services of British Rail, is determined to increase the carriage of goods. I am delighted that 90 per cent. of the inward demands for metal of Carnaud Metal Box, a company in my constituency, come by train. That is some 40 to 50-lorryload equivalents each week that do not travel along Worcester's narrow roads. That company tells me that Railtrack continues to give an excellent service, and it is delighted with that facility.

Other companies in the Vale of Evesham are now considering the possibility of putting more freight on to rail. The Vale of Evesham has a crucial role as an importer and exporter of horticultural produce. Two different proposals, one at Honeybourne and one at Blackminster, are currently under active consideration, and the proponents of both schemes tell me that they have excellent relationships with Railtrack and no complaints about the service they receive from it.

Opposition Members have derided the investment record and intentions of Railtrack. That record compares immensely favourably in the immediate past and in the future with anything that the British Railways Board could ever have managed. The list in the interim report for the six months ended 30 September 1995 of major improvements to the network is startling; it includes electrification of Heathrow Express trains; Ashford international station; Birmingham's new £28-million Jewellery line, which provides a significantly enhanced rail service for my constituents from Worcester; the Robin Hood line; and the Leeds north-west electrification.

The list continues. It sets out improvements that have been achieved. Crucially, Railtrack states:

"Following flotation we will, for the first time, be able to implement long-range investment programmes, free from the short-term limitations of public sector finance. We look forward, with great enthusiasm, to showing what Railtrack can accomplish in the private sector".

Mr. Hawkins: Does my hon. Friend agree that the sort of investment to which he has referred should reverse especially the historic decline of freight traffic on the railways and correct the problems that he and I and other Members who were members of the Select Committee on Transport heard described by companies such as Castle Cement, which told us that it had to invest in a huge fleet of lorries because nationalised British Rail could not deliver trains on time to pick up loads of cement to take them throughout the country? That is what Railtrack, in a privatised form, will correct.

Mr. Luff: I have nothing to add to my hon. Friend's entirely accurate observation.

It is interesting that the hon. Member for Cunninghame, North (Mr. Wilson) chose to give one of his major statements on his attitude to railways to the *Morning Star* on 1 February. I hope that the brothers read only the first two thirds of his article, which contained all the traditional sops, such as it

"is not railway engineering, but financial engineering."

The hon. Gentleman stated:

"The proposed sale of Railtrack is an audacious rip-off on a very grand scale."

It is all there. It is great stuff in the first two thirds of the article.

I hope, however, that the brothers did not read the last third of the article. The hon. Gentleman wrote:

"Perhaps too much time was wasted on empty rhetoric about 'taking back' when it was never our intention to take back every bit of the railways which had been sold off."

The hon. Gentleman added:

"We . . . never intended to bring the rolling-stock back into public ownership . . . We won't take back the freight companies if they are sold . . . Our message to potential franchisees is that we will respect legally binding contracts . . . but . . . there will be no coming back to the trough either for more money or derogations in terms of the level of service."

I should hope not. I hope that my right hon. Friend the Secretary of State would not accede to such requests. I am sure that he would not.

It is incredible. The hon. Gentleman criticises the Government for wanting to privatise the railways, but he set out a list of measures that he accepted. As I have said, I hope that the brothers did not read the end of the article. It is fair to say that it contains nothing about Labour's policies. It merely refers to the bits of our policy that Labour accepts.

Later in the article, the hon. Gentleman wrote:

"In summary, Labour's policy towards the railways is positive, imaginative and utterly at odds with the present follies."

I do not know how the hon. Gentleman can justify that ridiculous claim.

We all know that these issues are splitting the Labour party from top to bottom. In a way, I feel sorry for the hon. Member for Birmingham, Ladywood (Ms Short), who speaks from the Opposition Front Bench on transport matters. I am very fond of her. I know that she is not fully at home with new Labour. She makes that clear, and I am

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grateful to her for doing so. I appreciate her integrity and honesty. Nevertheless, Labour does not have a coherent policy to offer.

I rather enjoyed a piece of imagery which I read in *The Sunday Telegraph* of 14 April, last Sunday. The authors wrote:

"In the film *North West Frontier*, a fearless Kenneth More"—

I suppose that they mean my right hon. Friend the Secretary of State—

"plays an army officer who commands a train half-way across India, battling his way through repeated attacks by be-turbaned rebels, fiendish spies"—

they must be Opposition Members—

"and across half-ruined bridges. Against all the odds the train limps to its destination in the final reel and delivers its rather bewildered passengers to safety."

It may feel rather like that on occasions to Ministers in the Department of Transport. I have every confidence, however, that the train, the Government's policy, will reach its destination safely and deliver a much better railway in the process.

8.32 pm

Mr. John Heppell (Nottingham, East): The hon. Member for Worcester (Mr. Luff) gave us a good example of "Alice in Wonderland" adventures. He presented us with selective quotations from newspapers. For every person who wrote to him saying, "I am in favour of privatisation," I could provide the hon. Gentleman with a dozen letters of complaint.

When I travelled down to London by train today, a woman sitting in a seat in front of me was complaining that trains were late because of the various changes that had been made leading up to privatisation. She was complaining that there were more train failures. Some failures are extremely serious.

The hon. Member for Dartford (Mr. Dunn) told us that he was a member of the Committee that considered the channel tunnel rail link. I sat on that Committee for 300 hours, and rather more hours than the hon. Member for Dartford because at the time he was not allowed to take his place in the House for various reasons. I note that the Government Whip seems confused. The hon. Member for Dartford was suspended for a certain period.

Mr. Luff: My hon. Friend the Member for Dartford (Mr. Dunn) was not suspended.

Mr. Heppell: I am sorry. If I have referred to the wrong Member, I shall make my apologies after the debate has come to an end.

I dispute the claim of the hon. Member for Dartford that the channel tunnel rail link was privately financed. More public money is finding its way into the rail link now than when the project was envisaged. The Government said that they would not allow the scheme to go ahead with public money. I forget whether twice or three times the amount of public money is being provided now compared with the sum that was made available originally. To use the rail link as an example of the Government's commitment to railways is probably just about right.

I recall a little story that was recounted by my hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson), who is the shadow Secretary of State for the Environment. Many Members will have read about the illegal immigrant who escaped from a train as it went through Kent. He jumped off the train. My hon. Friend said, "He wouldn't have done that in France." The French already have a railway in place of which they can be proud. We still have not completed the legislative process, which must be finalised before we can build our railway on this side of the channel.

I apologise to the Secretary of State because I missed his opening remarks. I apologise also to my hon. Friend the Member for Birmingham, Ladywood (Ms Short) for missing her comments. I had an arrangement to meet some carers of disabled people, and I could not get out of it. I did not want to get out of it, to be honest. I understand that the Secretary of State, as well as the hon. Member for Worcester, talked about the Robin Hood line and what a great achievement it is.

The Secretary of State might want to say, "Yes, I have built a railway," and will not go on to say, "Buddy, can you spare me a dime?" I remember, however, why the Robin Hood line was built. I am grateful to the Government for giving support to the line. Effectively, the Government were pretty much railroaded into the project. I remember the decision being taken that the line should go ahead. It was an historic decision.

I should explain that, for years, I had sat on Nottinghamshire county council and had seen road schemes costing £10 million, £15 million and £20 million being nodded through. It was the council's policy to nod through road schemes. When it came to anything to do with railways, the response was, "No. That is a matter for British Rail. The council cannot possibly put any money into railways." With the Robin Hood line, however, the council decided that for the first time it would put money into a new railway. It put aside £6 million and went on to persuade the district councils to make money available so that stations could be built. The county council tried to get money from the private sector. It went also to the Government and to Europe. The Secretary of State would probably agree that the Robin Hood line was the initiative of Nottinghamshire county council. A tunnel was opened, for example.

Privatisation of the Robin Hood line is scuppered. Patronage was double what was expected. Even so, there were difficulties because of privatisation. Access charges increased, and the cost of rolling stock almost doubled. Do not quote the Robin Hood line as an example of how Railtrack privatisation is working.

Perhaps I have raised secondary issues. I did not intend to speak in the debate—

Mr. Dicks: The hon. Gentleman always says that.

Mr. Heppell: No, I do not always make that comment. I usually say, "I shall be brief." I am told, however, that I never am. I did not say that today.

I decided to speak, however, because I was a member of the Committee that considered the Railways Bill, along with the hon. Member for Worcester. I remember the White Paper of 1992. I remember also the full discussion that took place in Committee. We discussed the relationship between British Rail and the regulator, the

relationship between the regulator and the franchising director and the relationship between the franchising director and the train operating companies. The hon. Member for Worcester nods and laughs. I remember seeing a diagram—I am sure that I have mentioned this before—of all the different lines of communication criss-crossing a page to show how things were supposed to operate. It was very confusing. I could not understand it, and I worked for the railways before I came here.

As I said, we discussed the consequences of investment and the effect of privatisation on fares and on discounted fares. We had long discussions on safety, and I shall come back to that in a while. We also discussed competition. We do not seem to discuss competition any more. I remember when the former Minister of State, Department of Transport, the right hon. Member for Kettering (Mr. Freeman), had to get up in Committee and, to the laughs and derision of Labour Members, admit that for a number of years there would be no competition between the train operating companies, which would be running on the same lines and bidding against each other, so that people would take up the franchises. Competition was shoved to one side. Before that, the assertion was that this was not some Orwellian concept. It was not that private is good and public is bad. It was to inject competition into the railway industry. But out it went at a stroke. If somebody can tell me where competition comes in with regard to Railtrack, I shall happily listen.

My main point is that we discussed all those aspects of privatisation in depth, and I feel that we did a good job, even with the Government's limited information that was provided at the time. Never at any time were we told that Railtrack would be privatised. It was the exact opposite. The Government told us that they would privatise the train operating companies and that there might be 13 stations that they would asset-strip and sell off. We complained about that, but we were not told that Railtrack would be sold.

I do not like it, but the Government have a right to pursue a privatisation policy. They are wrong, and the way in which they are privatising the railways is laughable. No one, except the new accountants who have been brought in, believes that privatisation can really work. I see Conservative Members shaking their heads, but I bet that they cannot find anybody—someone whom I would consider to be a railway person—who is not buying in to make a cheap profit and who believes that the system will work.

I emphasise that we were not told about the Railtrack privatisation. I have two quotations, the first of which is from the then Secretary of State for Transport, the right hon. Member for South Norfolk (Mr. MacGregor), who did not have much involvement in Committee. He said:

"Outright privatisation of . . . the railway is not on the agenda for the foreseeable future, not least because subsidy from the taxpayer is needed, and we have made it clear that we shall continue to provide that."—[*Official Report*, 2 February 1993; Vol. 218, c. 160.]

In other words, he was saying that the railway would not be privatised as long as we are paying subsidy.

In Committee, the then Minister of State, Department of Transport said:

"Railtrack will be in the public sector for the foreseeable future".—[*Official Report, Standing Committee B*, 23 February 1993; c. 400.]

Conservative Members seem to have identified a new definition of "foreseeable future". I suppose that we should have heard last week that Labour would not win South-East Staffordshire in the foreseeable future. I think that before the local council elections on 2 May we shall hear that there will be no Labour gains in the foreseeable future. The best one will be when the Government tell us that there will not be a Labour Government in the foreseeable future, because now I understand exactly what that means.

I am not asking the Government to abandon their ideas about privatisation, but at least we used to discuss it. We did not just have one day to debate it in the Chamber; we sat for hours and hours and went through it in detail. No one can tell me that a publicly owned Railtrack, which owns the stations, bridges, tracks, lines and all the other bits that will be privatised, is the same as a privatised Railtrack, with all the bridges, land and so on. It seems to me that when Railtrack is privatised, there will be two possible sources of income. The first will be access charges. Where will the money come from? The train operating companies. Where will the train operating companies get the money from? Government subsidy. Is not that the way in which access charges work? I know that it is the way in which they are supposed to work.

Just this week, the Secretary of State for Social Security told us that there is no such thing as poverty. If he believes that, he should visit my constituency, which has the eighth highest level of unemployment in the whole of Britain; higher even than any Scottish or Welsh constituency. He would see real poverty there. Perhaps the Conservatives still believe in the trickle-down theory. In this case, it trickles down from the taxpayer, through the train operating companies, into Railtrack and then into shareholders' pockets. Nobody can tell me that that is justified.

There is another way in which Railtrack can raise finance—asset stripping.

Mr. Gary Streeter (Plymouth, Sutton) *indicated dissent.*

Mr. Heppell: The hon. Gentleman shakes his head. Initially, the proposals were that 13 stations would be sold off to the private sector and the rest would stay with Railtrack in the public sector. In Committee, we said that that was asset stripping. Individual private companies that took over those stations would be able to sell off the land around stations and make a healthy profit. Now it is worse, because it is possible to asset-strip not just 13 stations, but the lot.

I am worried not only about asset stripping but about the consequences for the future, because I have seen the asset stripping of railway lines before, after Beeching. I shall tell the House what happened. The land that was bought up and used for development blocked off possible future transport links into the city of Nottingham and many other cities across the country. Once land has been built on, one cannot put a railway through it. That is not just asset stripping, but tying up land for the future.

When Conservative Members come to their senses—sorry, I am wrong, because I am fairly sure that they will not. When we have a Labour Government, who decide that we really do want to ensure that the railways expand, with more passengers and more freight, we shall not block off the corridors to allow that expansion by asset-stripping under the present proposals. That is the only way in which Railtrack can raise money. The Government are talking

[Mr. Heppell]

about the sale of the century. They are to give profits to shareholders who do not even own the shares yet. They will be guaranteed £69 million in the autumn—"Buy your shares and get your profit."

How can anybody tell me that that is a sensible proposition, that taxpayers' money should be given to people in that way? I could understand it in some respects if the Government's dogma worked, and if privatisation allowed them to pull back on the subsidy to be given to the railways, but the reverse is true. One ends up paying more subsidy, but getting a worse service than before.

I shall touch quickly on safety. Earlier, I heard an hon. Member—I think that it was the hon. Member for Worcester, but perhaps it was the hon. Member for Dartford—say that there was no reason—I am getting a signal from the Government Whips. I am not too sure whether I am supposed to take notice of them, but now I am getting a signal from my own Whip.

In Committee, I looked at the brief produced by the Health and Safety Executive. My hon. Friend the Member for Cunninghame, North (Mr. Wilson) is right: there were 38 recommendations suggesting ways in which rail safety could not be improved, but could stay at the same level. The recent railway safety case lists 10 actions, many involving substantial cost, which would not make the railways safer but would attempt to make them as safe as they are now.

There is no doubt that the cobweb of confusion that will be created by the new arrangements will lead to more accidents. I am a former railwayman, and, believe me, the "fail-safe" concept was drummed into us. Nowadays I just read the newspapers, but I am certain that the accidents that happen currently did not happen as often in my time. I read about fuel tanks and traction motors dropping off trains; apparently, there are fires on trains and no one can get off because the access has not been worked out. I read about axles snapping. Before that recent instance, when did an axle last snap on a British Rail train? We would have to go back hundreds of years—to the time of Isambard Kingdom Brunel, and the man in a top hat sitting on the footplate. It may seem funny, but I believe that there is something fundamentally and radically wrong with the current safety arrangements.

If Conservative Members do not agree to a review, or at least a discussion in a committee, they have only one option if they are to save the railways: they must vote Labour.

8.51 pm

Mr. Stephen Day (Cheadle): I apologise for not being present at the beginning of the debate; I was serving on the Select Committee on Social Security.

First, let me deal with certain issues on behalf of the Parliamentary Advisory Council for Transport Safety, of which I have the honour to be joint chairman. For about two years the council has had a rail working party, which has made a number of recommendations and observations about rail safety. I am sure that members of that working party, who have a keen interest in—and vast experience of—both the rail industry and the academic aspect of railway matters, would not want me to say anything on their behalf that could be construed as scaremongering. The advisory council does not take such an approach to rail safety issues; indeed, it takes a responsible and positive approach to transport safety issues in general.

Hon. Members have made some rather over-excited comments about safety. I hope that what I shall say on behalf of the advisory council will not be viewed in that light; I intend to offer some positive suggestions. This is nothing new for the council. It has nothing to do with the fact that we are discussing the privatisation of Railtrack, or with the privatisation of the railways. As my hon. Friend the Minister will know, the council has a long history of working with, and campaigning to change the mind of, the Department of Transport.

My hon. Friend the Minister will also know that a number of organisations are currently responsible for safety in the new structure. Each train operating company must submit a safety case to be approved by Railtrack; Railtrack's safety case is approved by the Health and Safety Executive, which includes the railway inspectorate. Although the office of the rail regulator has no safety brief, it can act as independent arbitrator in the event of disputes between Railtrack and train operators. I understand that those arrangements were proposed in an HSE report entitled "Ensuring Safety on Britain's Railways", published in 1993—before the Government's decision to privatise Railtrack.

I want to raise two aspects of safety management, which merit more attention than some of the scaremongering that we heard earlier. The first—about which both the parliamentary advisory council and I are concerned—relates to communication and liaison. The council believes that we must ensure that safety lessons that have been learnt can be easily transferred from one company to another. The previous structure of vertical national ownership had the weakness of inflexibility; the new structure, based on competing units, does not naturally lead to the sharing of knowledge and solutions.

Secondly, much good work has been done on safety in recent years. Both staff and resources have been allocated to improve the safety of both passengers and work force. Will my hon. Friend the Minister consider reviewing the 1993 HSE recommendations?

Let me give my own views on the whole question of rail privatisation. I do not deny that I have expressed reservations about aspects of it in the past; indeed, I still think that it would have been better to "regionalise" the railways and sell them as a separate unit. Despite those reservations, however, I will not accept the invitation issued by the hon. Member for Crewe and Nantwich (Mrs. Dunwoody).

When the House has voted on rail privatisation issues in the past, not only have I stood on my feet to express the view that I have expressed again tonight, I have on occasions voted with the Opposition. Indeed, I remember well supporting the so-called wrecking amendment to allow BR to bid for franchise. That does not alter the fact that, at that stage, the House was debating legislation, amendments were before it and the debate would have had some practical effect. Tonight, we are not dealing with the Opposition trying to bring influence to bear on the Government's policy or their attitude towards the nature of rail privatisation. We have heard not helpful suggestions but hostility to the concept of privatisation in any form. That is where I differ from Opposition Members.

I am also aware that this Opposition debate has nothing to do with the issue itself and is all about something else. It is about trying to persuade Conservative Members such as myself who have expressed reservations in the past to join the Opposition in the Lobby in the hope that they can inflict an embarrassing defeat on the Government that would have no practical effect whatever. I am not going to be tempted.

I have every respect for the Opposition. Indeed, it is their duty on every occasion to try to embarrass the Government. But I am sorry, when I speak on rail privatisation in this Chamber and cast my votes on it, I want them to be cast on the issue. I am not here to help the Opposition do their job in merely trying to embarrass the Government. People in the great wide world should understand the difference between when we debate legislation and when the Opposition are merely trying to play politics with such an important issue. There is no way in which I shall support the Opposition this evening.

I hope that Opposition Members will stop accusing the Government of being purely dogmatic in their approach to rail privatisation. I have views on the alternative ways in which rail privatisation could have been brought about, but I am in no doubt that some form of privatisation is necessary for British Rail. That is fairly obvious to anybody who has travelled on it over the years. They recognise that improvements must flow from privatisation, as they have from the range of privatisations pursued by the Government.

The Opposition are not interested in what sort of privatisation we propose—they would oppose privatisation of British Rail whatever its nature. Labour talks about Conservative Members approaching the matter on a purely ideological basis, but Labour is the ideological party in this respect. The Opposition have opposed every privatisation. Privatisation in general has been a great success for the people of this country, and I know that the only way in which that success and its benefits can be maintained is to ensure that the party that pretends that it will not overturn privatisations and that it has accepted the change in the culture does not take office. In its heart of hearts, as it has proved tonight, Labour is still bitter about everything that privatisation represents and against the private sector in general. I shall do all in my power to ensure that it never takes office.

9.2 pm

Mr. Andrew Mackinlay (Thurrock): I listened carefully to what the hon. Member for Cheadle (Mr. Day) said, and I agree with him in one respect. It should be said in the Chamber that, like him, I was serving on a Select Committee this afternoon, along with my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody). Time and again, the people who run this House—the Leader of the House and perhaps others—arrange transport debates or Opposition Supply days when hon. Members who want to participate and who demonstrably have an interest in participating are in Committee, and hon. Members who perhaps do not have a bona fide excuse for not participating do not attend. Parliament is serving the fare-paying public badly when such an important debate is so poorly attended.

I hope that the party managers will in future get their act together so that members of the Transport Select Committee can attend such transport debates and hear the arguments advanced by my hon. Friend the Member for Birmingham, Ladywood (Ms Short) and by the Secretary of State. We were denied that opportunity today because of the way in which the people who manage the House have acted.

Having got that off my chest, I want to say that a lot of rubbish was spoken by some hon. Members, who diverted this important debate on rail privatisation into avenues relating to trade union sponsorship and so on. Some Conservative Members receive thousands of pounds from trade unions—quite legitimately—for acting as consultants, but that is not deemed to be inappropriate. That is a matter of fact—one such Member is in the Chamber at present.

There is some agreement among the political parties about the parlous state of our railways. We agree that the railways are clapped out, that staff are demotivated, that we have a shortage of staff, that we have high fares and that the fare-paying public are sick and tired of our deteriorating rail transport system. The public want remedies, and that is where the parties differ. The fare-paying public believe that the parlous state of the railways is a result of the repeated starvation of resources by successive Governments, but particularly by the present Government who have been in power for a long time. They know that our railways are clapped out because of the failure of the Conservative Government to provide proper funding. That is the real problem.

The Government are now trying to extricate themselves from their embarrassment and kick into touch the problem by flogging off this important infrastructure asset in such a way that the damage will not occur in the time in office of the current occupants of the Treasury Bench. The public want investment in our railways, and they want a modernisation of our railways. They understand that the fragmented scheme that the Government are proposing is a prescription for disaster, and will bring us to the brink of a second Beeching. If it goes ahead, the result will be higher fares, a diminished service and the closure of intermediate stations—particularly as the real estate is flogged off by the new owners of Railtrack. There will be a different map of our railway network a decade from now because of the actions of the Government. There is an opportunity tonight for Conservative Members—those who are in the Chamber—to stop the Government going down this foolish path. I hope that, even at this stage, they will join us in the Lobby and put the freeze on this crackpot course.

The hon. Member for Cheadle said that he thought the proposed method of privatisation was foolish, as did the late Robert Adley. The scheme was not designed that way, however. The previous Secretary of State for Transport said that the Government were not going to privatise Railtrack for a long time. But the Government are running out of resources, they are running out of a legislative programme, and there have been changes on the Treasury Bench. The Government should have disposed of Railtrack in the way proposed by both the late Robert Adley and the hon. Member for Cheadle—if they had to privatise, they should have sold off the track and the trains on a regional basis. But that plan was abandoned by earlier Tory Secretaries of State, and the Government are now compounding their errors by selling off this important infrastructure because it is valuable real estate.

[Mr. Andrew Mackinlay]

My constituents have suffered from the franchising process already. They have seen the halting of the London-Tilbury-Southend line franchise—the misery line—at the 11th minute of the 11th hour, and we do not now know what is going to happen. One thing revealed by the aborted LTS franchise was that the passenger service requirement was not worth the paper it was written on. When Enterprise Rail was creating its shadow franchise in the build-up to the sell-off, we were told that there would be four trains an hour at peak hours. At first glance, one would think that that broadly matches the present situation. But if one cross-examines and probes that statement, one finds that it means two trains one way and two trains the other way—there is no guarantee that the existing inadequate service will be maintained following rail privatisation. We have in a sense looked into the abyss, and we know that what happened to the LTS line is likely to happen elsewhere.

The hon. Member for Dartford (Mr. Dunn), who is not in his place, spoke a lot of humbug about trade unions. He also raised the question of safety. He alleged that Opposition Members were scaremongering. On my London-Tilbury-Southend line I already have a number of important privatised junctions to various industries along the river frontage. Lines go off at junctions with signal boxes to an Esso plant, car freight depots and Vandenburgh and Jurgens. I am concerned because we are already suffering from the fragmentation of control and the training and employment of staff, to which my hon. Friend the Member for Cunninghame, North (Mr. Wilson) has referred in interventions.

On 10 April an incident occurred on a private track off the LTS line in my constituency. A freight train was going in or out of a private yard and there was an incident on the crossing. The private train, going into a private yard, was left sticking out on the main line and the fare-paying public on the LTS line were left stuck, not in stations, but on trains for two and a half hours because the privatised signalman, or his crossing, was not operating properly. There was absolute chaos and a potentially enormous hazard was created. That scenario will be compounded as track and operators are privatised. We will find that the frustration of people who pay fares will increase because their trains will not run. Various organisations will blame each other and argue about who should remedy the situation. I believe that dangers will be created as a result of the fragmentation of control.

I am about to conclude, but I am grateful to see that some more Tory Members have come into the Chamber. On the last occasion when I spoke, I referred to all the stations on the south-west lines. I shall not go through the litany again. In a few years' time when their constituents are complaining, Tory Members of Parliament here tonight, if they are still Members of Parliament, will put the violin music on in the background and say how dreadful it is that their stations have closed, there are no trains at weekends, fares have gone up, and so much has changed on the railway network. Some branch lines will have closed. Tory Members will put on a phoney act of weeping and gnashing of teeth saying that it was not them. We shall remind them that it was they who went into the Division Lobby prepared to sell off this public asset to the disadvantage of their constituents. If and when it happens, they will be to blame.

I hope that when my right hon. and hon. Friends get on the Treasury Bench, they will be able to minimise the impact of this foolish privatisation and, with some boldness, bring back into public control, if not public ownership, our railway network.

9.12 pm

Mr. Brian Wilson (Cunninghame, North): We have heard some valuable speeches from Labour Members. I particularly recommend that Conservative Members, if they are capable of listening and learning, listen with respect to my hon. Friend the Member for Nottingham, East (Mr. Heppell), who spoke about safety. It takes someone who has worked on the railways, as he has, to understand the complexities and the folly of what is being done and to set aside on the basis of that reality the trite reassurances that Tories offer to themselves. They are playing with fire in this privatisation.

Just as important, as I have said throughout this process, and just as wrong as the privatisation, is the process of fragmentation on the railways. As my hon. Friend the Member for Thurrock (Mr. Mackinlay) said, the Government can take no comfort from anything that the Health and Safety Executive has said at any stage in that process. It has said specifically that an inherently less safe, more dangerous railway is being created. It has made recommendations to counter the fragmentation process. If the Government are prepared to put in place an inherently less safe railway network, what kind of responsibility to society does that show? Steps of enormous complexity have had to be taken to guard against what the Government are doing.

Let us get rid of one of the international canards and be absolutely clear that no Government or country has embarked on anything remotely resembling the process of rail fragmentation in which the Government are now engaged. I would suggest that no other country has done that not for ideological reasons but for safety reasons; other countries have realised and accepted that a fragmented railway system is inherently less safe.

I shall quickly refer to the speech of my hon. Friend the Member for Linlithgow (Mr. Dalyell), because I would be in terrible trouble if I did not. I have great respect for what he said and I share an interest in the subject. I call on the Minister to address the important concerns about the Forth bridge, to which my hon. Friend referred today and which he has pursued tenaciously over many months.

I refer to the speeches of Conservative Members. Today I thought—not for the first time in this long process of debating rail privatisation—would that Robert Adley were with us at this hour. I have noticed the empty Government Benches. I refer to the Tory Members who signed the amendments that Robert Adley drew up, which included measures to give British Rail the right to bid for franchises. Where are they tonight? They have escaped to their tents with their knighthoods—and I hope also with their consciences. They signed the amendments and they knew the wrongness of what was being done. As soon as the leadership and the courage of that one Tory Member disappeared—for the most tragic reasons—they deserted the cause to which they lent their names.

Mr. Day: I hope that the hon. Gentleman is not referring to me because on that occasion I voted with the Labour party on the amendments in relation to British Rail being allowed to bid.

Mr. Wilson: I am glad to hear that the hon. Gentleman voted for that—and I am not sure whether he was one of the Conservative Members who signed the amendments. I remember very well that the last time I met Robert Adley in this place was in the Members Lobby. He told me with great pride that he had six Tory names on the amendments. I asked him whether they included the right to bid and he said, "Of course, that is the one that matters. That is the one that will scupper the whole thing."

Six Tory Members put their names to the amendments—and they have disappeared like snow on a dyke or cowards off a battlefield. That amendment was won in this place and the Ministers sitting here tonight have reneged on it shamelessly. I am afraid that the hon. Gentleman puts himself in the same category as other Conservative Members if he votes for the wrongdoing that is continuing and that is in direct contradiction to the amendments that he claims he voted for in the past.

We have heard a lot of fantasy politics tonight—about all, about the wondrous gifts that will be bestowed on the railways through this fantastic process of fragmentation and privatisation. There is absolutely no evidence in that regard—it is fantasy politics, it is a wish list of all the things that the companies will do. All we are asking tonight is that the process be slowed down so that what has happened thus far can be reviewed.

Of course, to Conservative Members, we are asking for the impossible. They are not interested in the arguments about what has happened so far. They are not interested in the implications for the taxpayer or for the passengers. They are interested only in rushing this measure through before a general election as part of the general scorched earth policy. Asking them to slow down is asking them to abandon the policy because they know that they will not be here in office to live with the consequences.

That is part of the immorality of what has been done. There is no interest in the implications, because other people, other politicians and other generations will have to clean up the mess that will be created. They are politicians without responsibility for they are legislating for a period when they will not be in office to live with the consequences.

Mr. Pike: Although what my hon. Friend says is true, will not the proceeds of privatisation have been squandered and lost for ever more?

Mr. Wilson: My hon. Friend is right. Many of the assets, and the people, will have been squandered as part of this reckless wrecking process. I have said before that people who believe in Tory rebellions probably also believe in the tooth fairy, but I am told that some of the Tories who might have rebelled give as a reason, strangely enough, for not voting with us tonight the South-East Staffordshire by-election. Tory Members come up to us quietly and say, "We would love to, but it is too dangerous now to vote against the Government because it could bring the whole pack of cards tumbling down." That is the new line of rationalisation. That is one way of interpreting the lesson of South-East Staffordshire; but if they had started re-examining policies such as this, they would not have been in the mess they were in there.

I listened to the right hon. Member for Peterborough (Dr. Mawhinney) this morning—before he was carried off by the men in white coats—reacting to questions on the "Today" programme. He was asked in the mildest of manners by Miss Sue MacGregor what would be the equivalent of the dramatic action before the last general election when Thatcher was disposed of and the poll tax dropped. He chose to concentrate on the parallel—I can understand his mind being active on this—between the fate of Baroness Thatcher and the current position of the Prime Minister. He might have concentrated on what legislative measure should be dropped before the next general election. If he had done, rail privatisation might have occurred to him, because the one is as unpopular as the other.

Instead of the dreams of Conservative Members about top-hatted managers travelling on footplates—at one point we had refreshment cars going up and down the engines—let us consider what is really happening. The smugness, complacency, ignorance and contempt that they display in the name of privatisation are beyond belief. There is a private railway industry in Britain; it is called manufacturing. There are hundreds of splendid privately owned and operated companies that work in the railway industry—and good luck to every one of them. Many are doing well in the export field, which is what is saving them.

What have the Government done in the name of privatisation to private manufacturing industry in the railways? Some 8,000 jobs have gone. The great railway town of York will never build another train. The Government have ignored all the warnings about the blight on investment in the railways. They brushed it aside and said that it would never happen. For 160 years, Britain led the world and built trains for the world. In every one of those years, Britain built trains for our national railway network. Since the lunatics were put in charge of the asylum, there have been three solid years without a single train being operated, and the existing private railway industry—the manufacturing industry—is bleeding to death. That is their first achievement in the name of privatisation.

What about the record on employment so far? Eight thousand jobs gone in railway manufacturing. They do not care about that. Jobs have started to go at South West Trains. They will start to go in every franchise. That is not because the railways are overmanned—there have been massive efficiency gains in the past few years, especially through the organising for quality programme. It is not because those people are not needed for a safe, good railway or to deliver a service to the disabled and to elderly passengers. It is simply because the franchisees have entered into contracts from which they have to work backwards in financial terms. They cannot control the costs of access charges or of leasing trains. The only variable cost worth talking about is the cost of labour. To make it pay, they have to get rid of people. That has implications for service and safety and is the inexorable logic of this privatisation.

Mr. Dover: Does the hon. Gentleman accept that, in any industry, productivity is the name of the game? If management, particularly new management, can get more out of the work force, so much the better.

Mr. Wilson: It is an interesting philosophy, and productivity is the name of our game, but—this is where the two sides of the House differ—it is not the name of the only game. It is certainly not the name of the only

[Mr. Wilson]

game when one is delivering a public service. A safe and efficient public service is also part of the game, but that is neglected in all this privatisation because, within seven years, the companies have to squeeze their profits out of franchises that they have entered into on the basis of fixed figures. I would expect the hon. Gentleman to understand that distinction.

We are told that hundreds of companies have been busting a gut to get hold of railway franchises. Look at the London-Tilbury-Southend line fiasco—the Government did not do very well there, did they? What about the Resurgence Railways fiasco, when Ministers were prepared to give away Great Western to a failed double-glazing salesman? We have heard several hon. Members say what a wonderful job the Great Western management are doing under the privatised franchise. As the Government are well aware, the management owe to the Opposition the fact that they are doing the job at all. Their bid had been chucked out. The franchise was going to be given to the double-glazing salesman and the vice-chairman of the Huntingdon Conservative association, until the Opposition managed to establish, by the simple process of looking at the records at Companies House, what a shower of shysters they were. It was only at that point that the Resurgence Railways bid was thrown out and Great Western management brought back in.

Stagecoach appeared on the scene as a white knight, with its 22 references to the Monopolies and Mergers Commission behind it. On Network SouthCentral, it was the Compagnie Generale des Eaux—described in the most flattering terms by a French judge as one of the two most corrupt companies in France. Doubtless, as we meet, Ministers are desperately trying to attract the interest of the other.

The east coast main line has been handed over to James Sherwood within weeks of his saying that the franchising formula was a formula for a no-investment railway. He went to the only place in the country where £1 billion of public money has been invested in the railway and was given that franchise instead. That meets his criteria—he does not have to invest—and it meets the Tories' criteria, as they have managed to give away the most valuable piece of the British Rail network.

The hon. Member for Keighley (Mr. Waller) had something important to boast about. He said that, within seven years, the east coast main line would be a service that no longer required public money. He must be suffering from a serious loss of short-term memory because, two years ago, the east coast main line not only did not require public money but was such a profitable piece of railway because of the public money that had gone into it that it cross-subsidised the remainder of the inter-city network. That is what we believe in. Where there is investment, there is profit and east can subsidise west, day can subsidise night and urban can subsidise rural services. That is the way to run a railway network.

If it is Tory management of the economy to take out of the network the part that has had the bulk of public investment in the past 10 years and then wave a flag saying that in seven years' time it will not need a subsidy, no wonder the Government are in a dire plight.

We heard a miraculous statement about South Eastern Trains today—there will be investment in trains for the line. That is great. The trains are 50 years old, so let us hope that there is going to be some investment. I wonder why, last week, when the Government announced a parallel contract that has been awarded for Network SouthCentral, which has exactly the same conditions and age of rolling stock, there was no mention of any new trains. Where are the Members of Parliament who represent that area? A couple of the usual suspects have been waving their flags today and welcoming the prospect of new trains for South Eastern Trains, but where are the Tory Members for the Network SouthCentral area? Their commuters have been told that, because of the glories of the franchising system, there will not be any new trains for another seven years.

I can tell the hon. Member for Dartford (Mr. Dunn) and whoever else was cheerleading today that they should not count their chickens. If I were told by any of the jokers on the Government Front Bench that there would be new trains in three years' time, when even the most simple arithmetic told me that that is two years the other side of a general election, I would not put that assurance into the election address just yet, particularly because that contract has not yet been awarded. That is the difference—the one that has been awarded contains no mention of new trains for Network SouthCentral, whereas the one that has not been awarded represents another promise to be added to the wish list.

I could go on about the details of franchising, but I am a mere artisan; let us leave it to the master, to the man who has recognised the real potential of franchising, the saviour of the Tory party who represents the symbiotic relationship—the back-scratching—between the Tories and Stagecoach. I see that Mrs. Gloag is now the second richest lady in the country; perhaps she will now be applying for the position and the money of the richest.

Probably unaware that he was being reported addressing what is jokingly called the British Venture Capital Association, Mr. Brian Souter, the chairman of Stagecoach, got on to the subject of rail privatisation. His comments combine the issue of franchises with the question of what kind of deal the taxpayer is getting. In his after-dinner speech to the British Venture Capital Association, Mr. Souter spelt it out in terms with which I would not begin to compete. He is reported as saying:

> "There was a £4bn integrated rail business which had £800m of government subsidy. Now there is a desegregated £9.5bn rail business with £1.8bn of subsidy. While everybody else was taxing themselves about the structure of privatisation, we stuck with a very simple question: what happened to the £1 billion?"

According to the report, there was "approving laughter" from the assembled entrepreneurs.

I can tell the House what happened to the £1 billion. It is coming out of the Treasury, not to create a single extra service or to run an extra train—far less to order a new one—but to be the extra raft on which the whole superstructure of privatisation is to be floated. Two years ago, £800 million of taxpayers' money was going into the railways; now £1.8 billion is going into the railways, not for an extra service or an extra train but solely to sustain the profits and superstructure of privatisation. That is what it is all about.

Let us now deal with investment. We hear investment spoken of as if it were something new and as if it had never been made in the railways before. Let us consider the evidence of Richard Hope, a well-known authority in the railway industry. Railtrack came out with a statement

about a £10 billion—£1 billion a year—investment programme, on which Richard Hope's comment was "Big deal!" Railtrack's own written evidence to the Select Committee on Transport on 2 February 1995 says that

"annual steady state maintenance should be £800m which"—

these are Railtrack's words—

"'does not provide for any catching up of outstanding work' . . . Renewals are given as £570m . . . so steady state spending on the rail infrastructure should be not less than £1370m."

To maintain the current condition of the railway requires £1,370 million a year. Despite the ballyhoo, Railtrack is offering £1 billion a year.

The proof is in the pudding. If Railtrack were offering some new investment instead of a reduction, it would be talking about electrification schemes and Tory Members would be able to return happily to their constituencies, whether in Blackpool, Aberdeen or any of the other places where there have been good, credible campaigns for rail electrification. However, unless a Tory Member lives within a three-mile radius of Heathrow, he cannot promise his constituents electrification because there will not be any for at least the next 10 years. The word "electrification" does not appear in Railtrack's 10-year investment plan. That is the reality of its investment programme.

For all that the Tories despise the public sector, I know that, in my constituency and in every part of the country to which I travel where electrification has taken place, it has been of immense benefit to the routes and communities that have it. It was delivered by the public sector, but we are now told that, for the next 10 years, there is to be no electrification by the private sector. To be parochial for a moment, I hope that the two Tory Members from the north-east of Scotland who won their seats by promising that the only way to deliver electrification to the north-east of Scotland was through privatisation will lose their seats, because they now have to say that the only way to guarantee that there will be no electrification is through privatisation. What they said was the reverse of the truth.

Sir Roger Moate (Faversham): The hon. Gentleman's problem is that most people remember that, for all its good intentions and commitments, the last Labour Government reduced investment in the railways not for one or two years, but year after year. The hon. Gentleman derides our investment plans through the private sector, but will he confirm what commitment a Labour Government would make to investing in the railways? How much would a Labour Government invest in a public railway system?

Mr. Wilson: Why look in the crystal ball when one can read the book? Two years ago, investment in the railways was at its lowest level in real terms since nationalisation in 1948. I can point to a record of investment, but the Tories can point only to dreams of investment. They now have an investment bible which, by their own admission, will yield no new electrification schemes around the country.

I shall run through some of the flotation arguments. The hon. Member for Eastleigh (Mr. Chidgey) has already drawn attention to a grubby little document that tells every unsolicited recipient of it that

"Railtrack is not an operator of trains . . . It is essentially a property company and the land that Railtrack will own could be regarded as one of the most valuable pieces of real estate in the UK".

That is how the sale of Railtrack is being marketed. I ask the Secretary of State what action the Government have taken against one of their official share shops for describing Railtrack as a property speculation company. If he intends to pursue it over that matter, he can also inform it that, when Labour comes to power, we will quickly take regulatory action to ensure that every penny in property proceeds from the railways is reinvested in the railways, as occurred in the past. The Tories are yet again selling their product in a manner that is in breach of the Trade Descriptions Act 1968.

I refer briefly to the £69 million of taxpayers' money. We must understand what is going on. I thought that, according to the theory of capital, investment is about risk; yet taxpayers' money is being recycled as Railtrack's profit. It will be sprinkled like confetti among Railtrack's shareholders—not one of whom was a shareholder when the money was raised. Where is the morality in that and where is the risk?

Some £69 million will be given as a bribe to potential shareholders. It could have paid for major electrification projects such as the Glasgow, Queen Street to Edinburgh line or the north trans-Pennine Leeds to Manchester and Liverpool line. It could have been used to replace the remaining Kent coast rolling stock. There are no ifs, buts or talk about in three years' time: that is what the £69 million could have achieved. Will Tory Members of Parliament representing Kent constituencies take that message to their constituents instead of the bogus one that they were peddling?

I turn to the last of the great incentives and the letter from Mr. John Welsby. I would love to scrutinise it in great detail, but time is pressing. The Tories' deceit is again writ large: if the letter had not been leaked, we would never have known that the chairman of British Rail had written to the permanent secretary at the Department of Transport, with copies to Mr. Roger Salmon and Mr. Robert Horton, saying that the Railtrack prospectus contains several fundamental untruths. The prospectus is seriously misleading. It fails to inform potential investors of Railtrack's performance as manager of the rail infrastructure network and it fails to provide them with "material information", in the words of Mr. Welsby.

Investors have not been told the truth because Ministers will do anything to carry through the privatisation, irrespective of the taxpayer, the travelling public, of decency and of promises made to the House. That is what the Tories are about. They may win the vote tonight and privatise the rail industry, but they will pay the electoral price every day until the general election.

9.39 pm

The Minister for Railways and Roads (Mr. John Watts): Those who rely on leaked documents are unlikely to get to the whole truth. The letter from which the hon. Member for Cunninghame, North (Mr. Wilson) was quoting was written in response to a request to the British Railways Board to comment on the first draft of the prospectus.

One of the points that Mr. Welsby made in the letter was that there should be a clearer exposition of the role and powers of the regulator. The letter from the Rail

[Mr. John Watts]

Regulator containing the statement that is now printed in the pathfinder prospectus was sent by Mr. Swift the day after Mr. Welsby's letter. As the reply from the Permanent Secretary indicates, all the concerns expressed by British Rail have been taken fully into account in the final version of the prospectus, which the hon. Member for Birmingham, Ladywood (Ms Short) has not seen because it has not yet been published.

Ms Short: Is this one misleading?

Mr. Watts: That is the pathfinder prospectus and I am not saying that it is misleading. The hon. Lady has difficulty in putting the right words in her own mouth. She should not try to put words into mine.

This is probably our sixth rail privatisation debate in 15 months. The Labour party is obviously over-ambitious in trying to fill a full day's debate. Although the hon. Member for Thurrock (Mr. Mackinlay), who is not in his place, had difficulty squeezing into the debate, throughout the afternoon Opposition Members struggled to find anything new or relevant to say. Even the hon. Member for Ladywood could manage only a 20-minute speech.

Mr. Dalyell: Will the Minister give way?

Mr. Watts: I shall respond to the hon. Gentleman's point later. If I give way now, I shall have less time to do so.

It is clear that, after all this time, the Opposition are still trying to fill their policy vacuum in transport, as in much of their approach to politics. What should they do if they have a policy vacuum? The Labour motion suggests that the answer is to call for "a thorough review". Is its alternative to a policy to fill the vacuum with calls for a thorough review?

Reading on, I find some of the aims in the motion wholly admirable. It aims to secure

"higher levels of rail investment, improved services"

and finally, and quite importantly,

"the best possible return on taxpayers' money."

The problem for the Opposition is that our policy, not theirs, meets those objectives. Having struggled for so long to find a policy, why are they so shy of adopting their normal approach, which is simply to embrace ours? They have done so on many other matters of policy, so why do they not on rail privatisation?

As my hon. Friend the Member for Worcester (Mr. Luff) reminded the House, the shadow Cabinet, reliant as it is on the support and sponsorship of the trade union movement, is unable to adopt an honest policy because the union bosses will not allow it.

The hon. Member for Cunninghame, North mentioned the investment plans of Railtrack and quoted rightly the statement that Railtrack intends to spend more than £1 billion a year for the next 10 years. What he did not quote, although he could have found it in the pathfinder prospectus from which many hon. Members have quoted so readily throughout the debate, was that in the five years to 31 March 2001 Railtrack intends to spend approximately £8.125 billion. That appears to be higher than the £1.37 billion that the hon. Gentleman said was necessary to achieve steady state spending.

My hon. Friend the hon. Member for Dartford (Mr. Dunn) dealt with the only real news of the day when he welcomed the announcement that, in letting the franchise for South Eastern Trains, there would be a requirement for new rolling stock. Incredibly, I heard during the course of the day that the trade union front organisation, Save Our Railways, said that it was opposed to that idea. It cannot even accept one piece of good news.

The hon. Member for Cunninghame, North asked how a promise to be fulfilled in 1999 could be given any credence. The final bids, which are to be made on the basis of the replacement of the rolling stock, must be with the franchising director by mid-June. When the franchise is let, the new franchiser will be locked into a contractual commitment to meet all the terms of the franchise agreement, including that to replace rolling stock. My hon. Friends know that they now have a promise on which they can rely, which they have not received from the nationalised railway industry.

Sir Roger Moate: Did my hon. Friend note that the hon. Member for Cunninghame, North (Mr. Wilson) expressed real disappointment that the order had been announced—and he got that wrong, as he did almost everything else? The hon. Gentleman said that the rolling stock would not be ordered until 1999. He missed the point that the rolling stock that will be life-expired by then must be replaced by 1999.

Mr. Watts: My hon. Friend is exactly right. It is not just South Eastern that will have new rolling stock, because the contract for the 15-year franchise for the Gatwick Express requires a commitment to a completely new fleet of rolling stock. The first franchise for Great Western contains a commitment for the total refurbishment of all rolling stock in return for a 10-year franchise. A couple of weeks ago, Porterbrook Leasing announced a £40 million-plus deal with ABB for the refurbishment of other InterCity stock.

The hon. Member for Linlithgow (Mr. Dalyell) made important points about the Forth bridge. It is absolutely clear that responsibility for the safety and maintenance of the Forth railway bridge lies firmly and squarely with Railtrack. The bridge is part of Railtrack's existing infrastructure, which it has a commitment to maintain. Furthermore, the Health and Safety Executive has powers to ensure that Railtrack honours its obligations to maintain the bridge in a safe condition. The executive has said that it is minded to serve improvement notices on Railtrack. Whether that is necessary is a matter of judgment for the HSE, but I understand that Railtrack has fully accepted the recommendations made in the report. As for the hon. Gentleman's other important and more detailed points, perhaps he will allow me to give him full answers in writing.

Mr. Dalyell: Perhaps many millions of pounds are involved. Should not that obligation be made clear in the prospectus?

Mr. Watts: Although the hon. Gentleman may be well—[*Laughter.*] The hon. Gentleman is obviously well. He may well be right that the cost of the repairs may run into millions of pounds. I have been talking about investment and renewal obligations running into billions

of pounds. In any event, from today's debate the significance of the Forth bridge will be seized upon by people outside the House.

My hon. Friend the Member for South–West Bedfordshire (Sir D. Madel) raised three matters, including the Dunstable bypass, which he introduced intriguingly by suggesting that savings made by the efficiencies of rail privatisation might be used to fund it. I will not make any commitments about sources of funding, but it is our intention to take forward the proposals for a planning conference and to examine the Dunstable bypass and associated transport issues in the area, including rail issues, as quickly as possible.

My hon. Friend the Member for South-West Bedfordshire expressed concerns about track-side safety. Under the new safety regime, which is much more rigorous than that which existed before restructuring, every business that undertakes work on the railway must prove its own safety case as a prerequisite of being permitted to undertake any work on the line. My hon. Friend the Member for South–West Bedfordshire mentioned the west coast main line. Railtrack has already let two contracts for the development of the new signalling and control system, and a third will be let shortly. Contracts for the main works will start to be let from June. The core project will be funded through existing, standard track access charges. Funding may be required for additional upgrades. Those matters will be considered when the cost and technical reviews of upgrade options are completed and discussions will take place between Railtrack, Opraf and the Department of Transport so that we can consider what funding may be necessary to enhance franchising of the route. The franchising director intends to bring forward the franchise for the west coast main line later this year.

My hon. Friend the Member for Keighley (Mr. Waller) said that the case for privatisation must be made on its merits and he went on to do so extremely well. He mentioned the benefits of fare regulation. Never before have passengers had the assurance that key fares will be pegged to the rate of inflation for three years and then to 1 per cent. below the rate of inflation for the four years thereafter. It is also clear that franchising is good news for passengers, who can see that, far from services being slashed, as our opponents have claimed falsely so many times, they are at least being maintained and in many instances being improved. Of course, franchising is also good news for taxpayers who can see that, for the first five franchises that have now been let, services that required a grant of £300 million to be operated by British Rail will be operated in the seventh year of the franchise for only £95 million. That is good news and it gives the lie to the claims that franchising is an expensive way to deliver rail services—quite the contrary.

My hon. Friend the Member for Keighley also mentioned rolling stock for the Airedale and Wharfedale lines. I hope that he will take comfort from the announcement today about south-eastern trains and the possibility of a franchise term long enough to justify new rolling stock. That shows that, far from privatisation and franchising being incompatible with the provision of new rolling stock, they will facilitate its delivery. I understand that the PTE is working on a replacement options report, which it hopes to have ready by the end of June or in early July. I have agreed to a meeting with the PTE, which I hope my hon. Friend will lead, to discuss any ways in which the Department can help to ensure that the full benefits of the electrification of the line can be obtained.

The hon. Member for Hampstead and Highgate (Ms Jackson) entered the realms of fantasy when she claimed that privatisation would cost £2.6 billion. The reality is that the cost to the Government, from the start of the preparation to the end of the past financial year, is £145 million and the cost for British Rail and Railtrack is some £325 million. Against that, we have, so far, sale proceeds in excess of £2.3 billion. To put it another way, the total cost to date of £470 million is represented by only three years of savings on the average subsidy required for the first five franchises.

My hon. Friend the Member for Chorley (Mr. Dover) said that privatisation of Railtrack will deliver commercial investment funded by the private sector. The Labour alternative, of course, requires more funding through public sector borrowing, from higher fares or from higher taxation. We know that the hon. Member for Ladywood is prepared to pay more in taxes, because she has told us honestly that she is prepared to do that, but that does not run for other Opposition Members, so we must conclude that a Labour Government managing a nationalised railway would not find the funds that Labour Members say are needed to provide adequate investment.

My hon. Friend the Member for Chorley also mentioned access for disabled people. He will recognise that it is difficult to provide access at every station. Unfortunately, earlier generations did not build railway stations with disabled people in mind, but the Rail Regulator requires every train operating company to produce a disabled person's protection policy. The first step towards producing that is an inventory of the existing provision and facilities at stations, and that will be used as a benchmark against which further improvements will be measured.

The position is much brighter when it comes to access to rolling stock. Anglia Trains, Chiltern Railway, CrossCountry, Gatwick, Great Western, InterCity East Coast, InterCity West Coast, Island line, Mersey Rail Electrics and Midland Mainline, for example, are all operating fleets that are entirely accessible to people in wheelchairs. Other operators have mainly wheelchair-accessible rolling stock, even now.

The hon. Member for Burnley (Mr. Pike) reminded me of the Government's responsibility, our having been in office for 17 years, to ensure that railways are in a position to operate efficiently and effectively. We accept that responsibility, and we are taking action in the form of the privatisation programme to bring about precisely the improvements in services that everybody recognises should be made.

The hon. Gentleman used the odd term "fragmentation". The network is not fragmented. It was a policy decision that the entire rail network should be owned and managed by Railtrack as an integrated network. Network benefits, such as through ticketing, are all guaranteed by arrangements made by the franchising director and the regulator.

Mr. Pike: Will the Minister give way?

Mr. Watts: No. I do not have time to give way to the hon. Gentleman. The hon. Member for Cunninghame, North, who responded to the debate for the Opposition, overran his time and I must make the best use of mine.

[Mr. Watts]

The hon. Member for Burnley talked about Railtrack asset values. Track access charges are based on replacement values because the purpose of the charges is to ensure that assets can be replaced with their modern equivalents. Fixed assets in the most recent accounts were valued at £4.3 billion. Account must be taken, however, of the company's liabilities. The net assets of Railtrack—assets less liabilities—are only £2.4 billion, not the exaggerated figure of £6.5 billion that Opposition Members are so keen to quote.

My hon. Friend the Member for Cheadle (Mr. Day) made some thoughtful observations on railway safety. It is still part of the culture to share experience on safety matters. Some of the so-called leaks on safety that make the Opposition so excited arise only because it is part of the system widely to disseminate information on safety matters within the industry. I particularly welcome my hon. Friend's support for the Government in defeating the Opposition's motion. Like many of my other hon. Friends, and hon. Members representing parties other than the Opposition, my hon. Friend is much too wily to be caught out by squalid little tricks from the Labour party.

Mr. Paul Boateng (Brent, South): Is this the peroration?

Mr. Watts: No. There is no peroration. I am trying to respond to the many points that have been made in a long debate.

The hon. Member for Crewe and Nantwich (Mrs. Dunwoody) accused the Government of bad faith over the privatisation and flotation of Railtrack, as did other hon. Members. I shall set the record straight. My right hon. Friend the Member for Kettering (Mr. Freeman), the then Minister for Public Transport, said on 23 February 1993:

"Railtrack will be in the public sector for the foreseeable future".—[*Official Report, Standing Committee B*, 23 February 1993; c.400.]

It is also true that my right hon. Friend said on Lords amendments on 1 November 1993:

"Ultimately we wish to see Railtrack move into the private sector, although we cannot forecast when that will happen."—[*Official Report*, 1 November 1993; Vol. 231, c. 43.]

Lord Caithness, the then Minister of State, Department of Transport, said in July 1993 that the Government had made it clear that

"Railtrack's existence as a government-owned company will last only until it is feasible to transfer it to the private sector." —[*Official Report, House of Lords*, 15 July 1993; Vol. 548, c. 354.]

Any accusation of bad faith is totally without foundation.

I call on my right hon. and hon. Friends to defeat the Labour motion for the nonsense that it is and to support the amendment in the name of my right hon. Friend the Prime Minister.

Question put, That the original words stand part of the Question:

The House divided: Ayes 287, Noes 306

Division No. 99] **[10.00 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beith, Rt Hon A J
Bell, Stuart
Benn, Rt Hon Tony
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Rt Hon Tony
Blunkett, David
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N *(N'c'tle upon Tyne E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Caborn, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Cann, Jamie
Carlile, Alexander *(Montgomery)*
Chidgey, David
Chisholm, Malcolm
Church, Judith
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Robin *(Livingston)*
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cox, Tom
Cummings, John
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Cunningham, Roseanna
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Chris *(L'Boro & S'worth)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge H'l)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Hattersley, Rt Hon Roy
Henderson, Doug
Hendron, Dr Joe
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, Alan *(Strat'rd-on-A)*
Howarth, George *(Knowsley North)*
Howells, Dr Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jamieson, David
Janner, Greville
Johnston, Sir Russell
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*

Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
McCartney, Robert
Macdonald, Calum
McFall, John
McGrady, Eddie
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Diana
Mahon, Alice
Mallon, Seamus
Mandelson, Peter
Marek, Dr John
Marshall, Jim *(Leicester, S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Nicholson, Emma *(Devon West)*
Oakes, Rt Hon Gordon
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
O'Neill, Martin
Orme, Rt Hon Stanley
Paisley, The Reverend Ian
Parry, Robert
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Robinson, Peter *(Belfast E)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Is'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steel, Rt Hon Sir David
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Thompson, Jack *(Wansbeck)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Wigley, Dafydd
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Eric Clarke and
Mr. Dennis Turner.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Aspinwall, Jack
Atkins, Rt Hon Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Rt Hon Kenneth *(Mole V)*
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Beggs, Roy
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Sir Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Budgen, Nicholas
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Cash, William
Channon, Rt Hon Paul
Chapman, Sir Sydney
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dicks, Terry
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Eggar, Rt Hon Tim
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsythe, Clifford *(S Antrim)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archibald
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Heseltine, Rt Hon Michael
Hicks, Robert
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby

Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knox, Sir David
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Lidington, David
Lilley, Rt Hon Peter
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maginnis, Ken
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Mayhew, Rt Hon Sir Patrick
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Molyneaux, Rt Hon Sir James
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Rifkind, Rt Hon Malcolm
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Smyth, The Reverend Martin
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Rt Hon John D *(Strgfd)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Waldegrave, Rt Hon William
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Dr. Liam Fox and
Mr. Simon Burns.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith pursuant to Standing Order No. 30 (Questions on amendments) and agreed to.*

MR. DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House congratulates the Government on the progress that it is making with privatisation, with the franchising in the last three weeks alone of the InterCity East Coast, Gatwick Express and Network South Central lines, offering the prospects of better services and higher investment at less cost to tax-payers; recognises that this demonstrates that the Opposition's attempt to halt privatisation has failed; and looks forward to the flotation of Railtrack in May as a golden opportunity for the railways to gain access to the private finance necessary for investment, and for people to become real stakeholders in the railways, thanks to the Government's policy of wider share ownership.

BUSINESS OF THE HOUSE

Ordered,

That the Order [25th March] relating to the Family Law Bill *[Lords]* shall apply to any sitting day on which the House resolves itself into a Committee on those provisions of the Bill committed to a Committee of the whole House; and proceedings in the said Committee may be taken, though opposed, after Ten o'clock.—*[Mr. McLoughlin.]*

NORTHERN IRELAND (ENTRY TO NEGOTIATIONS, ETC) BILL

Ordered,

That, in respect of the Northern Ireland (Entry to Negotiations, Etc) Bill, notices of Amendments, new Clauses and new Schedules to be moved in Committee may be accepted by the Clerks at the Table before the Bill has been read a second time.—*[Mr. McLoughlin.]*

Gas Supplies (Scotland)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. McLoughlin.]*

10.14 pm

Mr. John Home Robertson (East Lothian): Friday 29 December 1995 was the coldest day in a week of perishing cold weather in Scotland. But when my constituents in Prestonpans, Cockenzie and Port Seton woke up that morning, many of them found that the frost was gripping their bedrooms and kitchens as well as their gardens, because the gas supply to 4,180 households had failed.

It took up to three days to turn the gas on again, so more than 10,000 people in my constituency had a horrible Hogmanay weekend, relying on emergency soup kitchens while the frost burst the water pipes in their homes. There was a similiar failure in the gas supply at Stonehouse in Lanarkshire, and my hon. Friend the Member for Clydesdale (Mr. Hood) may wish to refer to that later in the debate.

This major failure of the gas supply got some attention from the national media, and British Gas's distribution company, TransCo, had to bring in 150 engineers from as far away as Brighton and Cornwall to reinstate our local gas supply in East Lothian. I would like to express my constituents' thanks to those engineers, who did a good job in difficult circumstances when I am sure that they would have preferred to be spending the holiday week with their families at home.

Three months later, the Director General of Gas Supply published the findings of the Ofgas inquiry into this incident. I am sorry to say that the Ofgas report has whitewashed the minor points and missed the main points altogether. The main point surely is that the circumstances were not unpredictable, so the failure of the gas supply should not have been allowed to happen. I am not satisfied that my constituents' experiences have been taken seriously, and I fear that similar failures will occur elsewhere in the future if we do not take steps to impose better standards on this highly profitable privatised industry. That is why I am raising this matter in the House.

I will give a brief summary of the events in Prestonpans, Cockenzie and Port Seton at the end of December. As I have said, the weather was extremely cold. In Edinburgh, the temperature dropped to minus 8 deg C on Wednesday 27th, minus 12 deg C on Thursday, minus 13 deg C on Friday and minus 14 deg C on Saturday 30 December. But it was several degrees colder in other parts of Scotland. Both Glasgow and Aberdeen experienced temperatures of minus 20 deg C during that week.

Evidently the main gas supply into that part of my constituency was not big enough to meet the morning and evening peak demands when people were heating their homes and cooking meals. There is a gasholder at Preston Links that fills up when demand is low, to boost the local supply at times of peak demand. The gasholder is checked regularly, and on 27 December it had 20 per cent. less gas than it should have had, and the pressure in the system was low.

If TransCo had been paying any attention to the weather forecast, it would have realised that things were going to get worse, and it should have taken steps to avoid the crisis that followed. But it did nothing. On the night of the 28th, the gasholder stock ran out, the incoming supply could not keep up with the demand for gas and the pressure in the system fell dangerously low, so all the gas customers in the area—4,180 households, more than 10,000 people—were cut off early in the morning of 29 December.

The gas supply system had collapsed, and it was in a dangerous condition because air could have been drawn into the supply pipes. So it was necessary to isolate street sections, check each householder's gas installation and bleed off the air in the system before restoring the gas supply. That was a major task, involving 150 engineers, including 100 who came up from England. Some households got their gas supplies restored within 24 hours, but the unluckier ones had to wait for up to three days in very cold weather.

East Lothian district council and Lothian regional council, together with the police and emergency services, had to go into action to provide support for elderly and disabled people, and to set up emergency reception centres and catering in the two local community centres. British Gas used its GasCare register to help to identify those most at risk, and information was provided through an emergency telephone service and the local media. TransCo helpfully distributed hundreds of electric heaters, but it was not altogether surprising that the resulting surge in demand for electricity in one street led to a temporary failure in the electricity supply, as if things were not bad enough already.

I kept in close touch with the situation, and I was advised that the official standards of service for the gas industry would require the payment of compensation of £20 a day to affected householders. But of course, at that stage, everyone was rightly concentrating on the main objective of restoring the gas supply, which was eventually completed just in time for Hogmanay. There were still burst waterpipes to repair on 1 January as people began to count their costs, and TransCo started looking for excuses.

TransCo rightly recognised the risk of a public relations disaster if it were to try to sidestep its liability to pay compensation. So it offered the two local community councils the princely sum of £1,000 each. It has not offered to contribute towards the substantial costs incurred by the local authorities—which I understand run into tens of thousands of pounds—but it did make the appropriate £20-a-day payments to affected householders "as a good will gesture". It stipulated that it was an ex gratia payment rather than fulfilment of any obligation, let alone an admission of liability. That bothers me, Mr. Deputy Speaker.

TransCo has claimed that the failure of the supply was due to exceptional circumstances under its contractual standards of service, and that the company was under no obligation to maintain the supply or to pay any compensation. Amazingly, Ofgas has now endorsed that interpretation, and I put it to the Minister that those standards of service must be amended to avoid the risk of similar failures in cold weather in the future.

Key standard 6 in British Gas's standards of service stipulates criteria for continuity of supply with an exception for

"interruptions caused by circumstances beyond the Company's control where restoration of the supply within 24 hours is impossible due to exceptional circumstances".

[Mr. John Home Robertson]

Ofgas has defined "exceptional circumstances" as anything with less than a one in 20 chance of occurring, which means that British Gas can avoid responsibility for any supply failure in Scotland if the effective temperature falls below minus 6 deg C. That calculation in this instance was made on a national basis, with bizarre consequences: the lower temperature in Glasgow and Aberdeen, where the supply did not fail, has been used to help to justify the cut-off in East Lothian, where the weather was less severe.

As things stand, it appears that, if the weather gets very cold, and if there is more than a marginal increase in customer demand for gas—just 12 per cent. in the case of East Lothian in December—this massively profitable privatised utility has no contractual obligation to keep the gas flowing. The company will go on paying Cedric Brown's £247,000 pension and Richard Giordano's £450,000 salary plus perks, but the poor old customers can freeze as far as it is concerned.

I suggest a variation to the proverb: if you can't stand the cold, don't use gas in your kitchen. As climatic change seems to be leading to colder winters, Ofgas's one in 20 criterion is probably out of date. Do we seriously believe that it will be 80 years before the weather gets as cold as it was last winter? I do not think so.

The experience of my constituents makes it painfully clear that British Gas must be required to upgrade inadequate parts of the supply network or face penalties if things go wrong. There are other areas with potentially dodgy supplies that depend on gasholders, including parts of Glasgow.

The crisis should have been predictable. TransCo knew the limitations of the local supply system and knew that British Gas had taken on a lot of new domestic customers in new housing developments in the area. A total of 441 new houses have been built in the Prestonpans, Cockenzie and Port Seton area since 1990—almost all of them with gas central heating.

We now know that TransCo had plans to upgrade the supply and to do away with the Preston Links gasholder. I hope that the Minister will be able to assure me that the work will be completed before next winter, but I am afraid that the gasholder is still there—I saw it on Monday. The margin between capacity and possible demand should never have been so finely balanced in the first place.

Paragraph 4.2 of the Ofgas report, under the heading "Action to Prevent a Recurrence", makes a significant tacit acknowledgement that all is not well in the system. It states:

"TransCo Districts have been asked to undertake further planning and load sensitivity studies to consider whether any additional opportunities might exist to alleviate supply difficulties in periods of extreme temperatures at the limit of the system design criteria."

It will take more than studies—we need assurances that the necessary work will be funded and carried out. It is imperative that the national criteria for the supply system be amended to guarantee the requirements of customers at times of greatest need; otherwise, it is quite possible that whole cities could be cut off as my constituents were last December

No doubt British Gas and other commercial gas suppliers will be reluctant to pay their share of the cost of upgrading TransCo's pipeline network. However, Ofgas must surely have an overriding duty to protect customers' interests by stipulating proper criteria for security of supply to avoid this kind of breakdown. Ofgas has seen fit to make excuses and to quote escape clauses for the failure of the supply in East Lothian last December. It is up to the Minister and the House to tell the Director General of Gas Supply to put public interests before the commercial interests of gas suppliers in the future.

The risk of supply failures can and should be minimised—that is the important point that the Minister must address. However, it will never be possible to eliminate the risk altogether. We must have the best possible contingency plans and systems to provide for the needs of elderly, disabled and vulnerable people in the event of a gas cut. The GasCare system seems to have worked reasonably well in this case, although I understand that the register is far from complete.

I am told that up to 1 million eligible customers are not registered under the current set-up. I gather that the threatened diversification of domestic gas suppliers could play havoc with TransCo's GasCare database in the future. I am advised that the register will show only the account number and address of elderly and disabled customers, so it will be a complicated task to find their names and telephone numbers in order to provide support and advice in an emergency, such as the one that occurred in December. The Government are promoting this market madness, so is it too much to ask the Minister to take account of the consequences for vulnerable people?

In conclusion, I inform the Minister that a large number of my constituents are very angry about the failure of their gas supply last December, and they have not been impressed by the dodging and weaving of British Gas, TransCo and Ofgas in the aftermath of that failure. I am grateful to Prestonpans community council, Cockenzie and Port Seton community council, the local members of the East Lothian and Lothian councils and Mr. Euan Robson of the Scottish Gas Consumers Council for making representations on behalf of gas customers. People are entitled to expect appropriate action, especially in East Lothian and other parts of the country where the system may be risky.

The clear conclusion is that this sort of predictable and avoidable gas supply failure must not be allowed to happen again in East Lothian or anywhere else. Effective contractual safeguards must be set and enforced. When I wrote to the Minister for Small Business, Industry and Energy in January, he replied:

"it is important to know why it happened and what lessons can be learned",

and said that these were matters for the Director General of Gas Supply.

Sadly, Ofgas has whitewashed the incident and fudged the lessons, so I put it to the Minister that he has a duty to intervene to set proper standards for the gas supply industry.

10.29 pm

The Minister for Small Business, Industry and Energy (Mr. Richard Page): I am grateful to the hon. Member for East Lothian (Mr. Home Robertson) for raising this important subject. Although the hour is late and springtime is arriving, it is right that we should have an opportunity to discuss this subject. I pay tribute to the great interest that he has taken in representing his

constituents, and express my appreciation to my hon. Friend the Minister of State, Scottish Office, for joining me tonight.

Mr. Home Robertson: He is a constituent of mine.

Mr. Page: I am delighted that he is, and I sincerely hope that my hon. Friend did not have his gas cut off just after Christmas.

It might help the hon. Gentleman if I explained for the record how gas supply security has been approached by British Gas, and the standard licence conditions set by the President of the Board of Trade under the Gas Act 1995.

There are two principal aspects to security of gas supplies. The first is to secure that each winter there is sufficient gas to meet demand. That is achieved by means of the network code, which provides the economic incentives for gas shippers and suppliers to obtain sufficient gas and the price signals that can trigger demand by larger users. Further flexibility arises where gas is conveyed on interruptible terms to large industrial consumers, allowing the suspension of supply where needed. Those arrangements are together designed to secure that sufficient gas is available to domestic customers to meet the demand that would arise in one winter in 50.

The second aspect of supply security is ensuring that there is sufficient pipeline capacity to get the gas to where it is needed. That is a more complicated task, because it involves the operation of each part of the gas pipeline network in Great Britain, which runs to a staggering 0.25 million km of pipes. The criterion is that the system must be designed to meet the demand occurring on the peak day likely to occur in one winter in 20. The hon. Gentleman referred to his concern about that limit.

Those security criteria have been used for the planning and development of the gas network, and were reviewed by British Gas in the context of the 1993 Monopolies and Mergers Commission report. They have now been enshrined as specific regulatory obligations in the new licences.

On the specific incident, let me again say, as I have already said at Question Time, how sorry I was to hear about the supply failure that affected part of the hon. Gentleman's constituency during what he admitted was exceptionally severe weather last December. Whether we are, as he suggested, entering another ice age is a matter for debate. I stress the word "exceptionally". I understand that the nearest monitoring station, the Royal Botanic Garden in Edinburgh, recorded the coldest temperatures since records began there. The hon. Gentleman emphasised that it was exceptional.

It is an example of Murphy's law, and an undesirable fact of life, that many of the services upon which we depend are prone to break down just when we need them the most, because that is when they are placed under the greatest stress. In fact, the gas distribution system is highly resilient, and hardly ever breaks down through excess demand. That it did on this occasion was a consequence of prolonged very bad weather combined with higher than usual residential demand due to the Christmas and new year holiday.

At this stage—I think that the hon. Gentleman has endorsed this—I should like to acknowledge the great efforts made by those working in the gas industry and the local authority to minimise the disruption and inconvenience caused. I pay tribute to the way in which the people affected in both East Lothian and Lanarkshire coped with the incidents.

As the hon. Gentleman is aware, high demand caused the supply disruption during the extremely cold weather. I thought that he might be interested to note that demand was 121 per cent. more than the demand for an average winter day, which is more than double. The local supply system, despite being built to the required standard, was sadly unable to cope with that unprecedented demand due to that operational constraint, which is already being removed. As the hon. Gentleman said, there was a risk of air getting in and a danger to the system, which had to be shut down for safety reasons. I understand that emergency plans and procedures, including those involving the local agencies, were duly implemented.

Just over 4,000 homes were cut off in East Lothian on Friday 29 December, and 500 had their supplies restored the same day. As the hon. Gentleman said, engineers were called from the length and breadth of the United Kingdom, and worked ceaselessly and tirelessly to try to restore supplies. That process of restoring supplies required a visit to every house by a gas engineer. I believe that some of the delays were caused by the difficulty of getting access to some of the houses, which is why it took three days to reconnect some. As it happened, by Saturday 30 December most of the supplies were restored because those 100-plus engineers worked around the clock.

Both TransCo and Scottish Gas made strenuous efforts to help those customers who suffered disruption to their supplies. They paid particular attention to those with special needs, such as the elderly. As the hon. Gentleman no doubt knows, an incident room was set up in a local primary school to co-ordinate welfare provision and the restoration of supplies.

In particular, British Gas liaised with the regional council to arrange food and warmth in community centres, town halls and schools. It provided several hundred electric heaters and cookers for those in greatest need, and supplied pre-paid power cards for distribution to pensioners and people on income support. Scottish Gas provided a 24-hour help line, and also made contact with those on the GasCare register—the record of customers who have notified British Gas of their age or special needs—to check that they had adequate heating and cooking.

Mr. Tam Dalyell (Linlithgow): The Minister emphasised that the Lothian region performed extremely well, and so it did, but Lothian region is no more, thanks to the crazy local government reorganisation. It is far from clear that in West Lothian, East Lothian or Midlothian one, would get the same service if the situation were ever to arise again.

Mr. Page: This is not quite the opportunity to debate the reorganisation of Scottish local authority activities.

Mr. Dalyell: The hon. Gentleman mentioned it.

Mr. Page: Although I said that Lothian coped well, I am confident that its successors will have equally adequate support systems in place if such a disaster ever occurs again.

[Mr. Page]

TransCo's efforts to keep consumers informed about the situation—including about 80 media updates and door-to-door calls—have been criticised. TransCo is considering how improvements in those procedures can be made. I will ensure that the comments of the hon. Member for East Lothian about having a register and the security of the register for the most vulnerable are drawn to the attention of British Gas, so that it can take those concerns into account.

Unlike the hon. Member for East Lothian, I am grateful to the Director-General of Gas Supply for the thorough investigation that her office has undertaken into the incident in East Lothian. I do not so casually dismiss the work that she has done on the investigation. It has provided a basis of factual material that has certainly helped me to prepare for this debate.

I understand that some of the hon Member's constituents believed that the interruption to their supplies was due to the diversion of supplies to Edinburgh. The Ofgas investigation paid particular attention to that concern, but concluded that the interruption arose from the demands placed on the local supply system, and not as a result of deliberate demand management by TransCo.

Mr. Home Robertson: I realise that the Minister has been well briefed for the debate, but I did not raise that issue, precisely because I am satisfied with the explanation given by Ofgas. What I said was that the criterion to which the Minister has referred—the one-in-20 criterion—is plainly insufficient. If that criterion is taken as an acceptable baseline, it means that all of us will experience two or perhaps three complete shutdowns of the gas supply in our houses in our lifetime. That is not tolerable. It is up to the Minister and Ofgas to impose realistic criteria to ensure genuine safety of supply in cold winters.

Mr. Page: Time is not on my side. I do not have enough to argue the point back and forth, but, if I recall correctly—I shall read the report of our proceedings—the hon. Gentleman used words such as "whitewash" in relation to the report. That is slightly dismissive. He says that the one-in-20 criterion is not adequate, but, apart from a small shutdown in Lanarkshire, the details of which I am not completely au fait with, the incident in East Lothian was the only one that I am aware has occurred in the past 10 years.

Mr. Home Robertson: So that is all right, then?

Mr. Page: I did not say that it was all right. As the hon. Gentleman is saying that there will be two or three such incidents in the next year or so, I have to point out that, in the past 10 years at least, there has been only the one incident. It must not be blown out of all proportion. If the hon. Gentleman can contain his enthusiasm, I hope that I shall be able to bring him some comfort for the future.

The hon. Gentleman also raised the question, which was mentioned in the Ofgas report, of the monitoring of the gasholder at Prestonpans. It will, of course, become an academic question for this site when TransCo completes the current re-enforcement, which will connect the area directly to the higher capacity intermediate pressure system. However, the director general suggested improved inspection, and I understand that TransCo has now decided that, where a gasholder is critical to security of supply, it will be visited more frequently when conditions approach that one-in-20 situation.

I must emphasis that, although the failure was in freak conditions that well surpassed the design criteria, I would not wish it to be thought that TransCo is simply shrugging off the whole issue. Steps are being taken to ensure that such incidents remain exceedingly rare.

In the specific location, the operational constraint that caused the problem—the medium pressure link to the local area—is being replaced with an intermediate pressure link with a much higher capacity. That will effectively rule out a repetition of the incident, and is due to be installed in time for next winter. A stretch of pipeline 1.25 km long has already been installed. I shall ensure that TransCo is aware of the concerns that the hon. Gentleman has expressed, and of the need to ensure that the work is completed before next winter.

More generally, TransCo is considering its response to the recommendations of the Ofgas investigation. However, it is already undertaking further planning and load sensitivity studies to ascertain whether additional opportunities may exist to alleviate supply difficulties in periods of extreme temperature at the limits of the system design criteria. Also, I understand that the Edinburgh district is compiling a report detailing the procedures used throughout the incident, highlighting the learning points from its experience. The report will be distributed to other districts, and any learning points will be incorporated in emergency plans as appropriate. I hope that that reassures the hon. Gentleman.

As I said at the outset, I appreciate the concerns raised by the hon. Gentleman on behalf of his constituents, but I hope that what I have said this evening will provide some reassurance for the future.

Question put and agreed to.

Adjourned accordingly at seventeen minutes to Eleven o'clock.

House of Commons

Thursday 18 April 1996

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

BODMIN MOOR COMMONS BILL *[Lords] (By Order)*
Order for Second Reading read.
To be read a Second time upon Thursday 25 April.

Oral Answers to Questions

TREASURY

Taxation

1. **Mr. Pawsey:** To ask the Chancellor of the Exchequer by how much tax revenue has changed since 1990. [24303]

The Paymaster General (Mr. David Heathcoat-Amory): Receipts of taxes by Inland Revenue and Customs and Excise were £174 billion in 1995-96 compared with £138 billion in 1990-91.

Mr. Pawsey: That answer underlines, if nothing else, the substantial improvement to the United Kingdom economy over the past six years, an improvement that has been fuelled by low inflation and low interest rates, which in turn have reduced unemployment substantially. Will my right hon. Friend reject any appeals to increase taxation to ensure that he is not taken short?

Mr. Heathcoat-Amory: I entirely agree with my hon. Friend. We have an almost uniquely favourable set of economic circumstances at present, including low inflation, steady growth and falling unemployment. We have recently cut income tax. We have no policies from Opposition Front Benchers on Treasury matters, but we have a hint from the Opposition spokesman on transport. My hon. Friend was probably referring to that. We all know that Labour Governments increase taxes. If the Opposition Treasury team does not know that, the hon. Member for Birmingham, Ladywood (Ms Short) obviously does.

Dr. Bray: Will the Minister say whether the receipts from value added tax, being lower in the outturn than they were in the Budget forecasts over a period of years, are due to errors in forecasting or to failures in the collection of VAT? If so, what remedial measures are the Government taking?

Mr. Heathcoat-Amory: Actually, the VAT receipts for the year just ended, 1995-96, have come in very slightly under the Budget forecast made last November, but considerably under the forecasts made a year before that. The reason for that is not clear. If there has been an increase in avoidance schemes, that will be actively investigated by the Treasury. In the Finance Bill, which has just completed its passage through the House, we put a stop to a large potential avoidance scheme to prevent any erosion of the VAT tax base.

Mr. Michael Brown: I hope that my right hon. Friend will not be too hard on the hon. Member for Birmingham, Ladywood (Ms Short). Should we not congratulate the hon. Lady on at least being the authentic voice of the real Labour party? Will my right hon. Friend take it from me that most of us regard her as the real voice of the Labour party, whose voice would ultimately be heard if the hon. Member for Dunfermline, East (Mr. Brown) were ever to be Chancellor of the Exchequer?

Mr. Heathcoat-Amory: I agree with my hon. Friend. The hon. Lady has been hauled up and silenced for speaking the truth about Labour tax plans.

Mr. Andrew Smith: Is not the truth of the matter that the Paymaster General and his right hon. and hon. Friends have a right nerve talking about tax when it is they who are in breach of all their general election promises? They increased taxes, costing a typical family £800 extra last year. Is it not the reality that, despite those increases and impositions, tax revenues have not increased as quickly as the Government predicted, landing the United Kingdom with a £32 billion bonanza public sector borrowing requirement? That proves that, just as the public cannot trust the Tories on tax and living standards, they cannot trust them on public borrowing either.

Mr. Heathcoat-Amory: There is still no indication from the Opposition Front-Bench team of its tax plans. I remind the hon. Gentleman that we have cut and are cutting taxes. This month, wage earners and salary earners will see a further cut in their standard rate of income tax. A quarter of all taxpayers are now paying tax at only 20 per cent.

I remind the hon. Gentleman also that, when the Conservative party took office in 1979, the standard rate of corporation tax was 52 per cent.; we brought it down to 33 per cent. Small company corporation tax stood at 40 per cent., which we have reduced to 24 per cent.

Interest Rates

2. **Mr. Nicholas Winterton:** To ask the Chancellor of the Exchequer if he will make a statement on current levels of interest rates. [24305]

The Chancellor of the Exchequer (Mr. Kenneth Clarke): I cut base rates by a ¼ per cent. to 6 per cent. on 8 March. That cut in rates was the third in four months, and was based on the improved outlook for inflation.

Mr. Winterton: When my right hon. and learned Friend visits Macclesfield tomorrow, a borough whose Conservative-controlled council manages its affairs as prudently as he seeks to run the national affairs, will he listen to the views of local business men and women, whose views I share, who believe that low interest rates

and low inflation are essential to the future success of our country? Will my right hon. and learned Friend accept from me that, although there has been a modest improvement in the housing market, a further improvement, which would also enhance the opportunity of the Conservative party being re-elected at the next election, would be gratefully assisted if he were able to reduce interest rates by a further ½ a per cent. as soon as possible?

Mr. Clarke: I am looking forward to hearing the views of the business people of Macclesfield tomorrow, as they are usually so forcefully put by my hon. Friend. As he will know, Britain has the lowest interest rates—the best run on interest rates—that we have seen for 50 years or so. Business expects to see a combination of low interest rates based on sound management of the public finances and low inflation. The combination of circumstances that we have now produced is the best of that kind that we have seen for a long time.

The housing market is beginning to show the first encouraging signs of some improvement. It is—I agree with my hon. Friend—small at the moment, but it is encouraging that house prices are beginning to go up and that turnover appears to be improving. I trust that, if we keep the present conditions in place, housing and construction will recover and begin to enjoy the increased prosperity that other sectors of the economy are obviously now feeling quite strongly.

Mr. Sheldon: Is the Chancellor aware that one of the few encouraging aspects of his chancellorship has been that he has been winning the battle with the Governor of the Bank of England? Given the extremely high level of the public sector borrowing requirement, will he adopt an even more robust attitude in his meetings with the Governor to ensure that interest rates do not rise?

Mr. Clarke: The Governor and I are joined in battle, side by side, to achieve the Government's inflation target—which we plainly will achieve—of 2½ per cent. It is that which is giving Britain the best inflation record that it has had for a generation and more, and it is that which is making the present recovery so strong and likely to be sustained.

The Labour party cannot even say what inflation target it would set if ever it got into government, and that is because the whole history of Labour Governments, including the one in which the right hon. Gentleman served, has been one of taking inflation through the roof—which has been destructive of all industrial recoveries in recent times.

Lady Olga Maitland: Is my right hon. and learned Friend aware that, with the lowest mortgage rates in 31 years, the property market in my constituency in Sutton is undoubtedly shifting and, with that, the morale of property owners is going up? Is that not good news for his policies?

Mr. Clarke: It is very good for the people in my hon. Friend's constituency and in mine, and throughout the rest of the country. I am extremely glad that the number of people suffering from negative equity is now plainly on a downward path, but I am sure that my hon. Friend and I are both agreed that that must continue. Those are the encouraging signs for the housing industry, but it needs years of this, and years of this means sticking with the policies of this Government and avoiding the danger of a party that does not even have a target for such things ever coming to power.

Public Sector Borrowing Requirement

3. **Mr. MacShane:** To ask the Chancellor of the Exchequer what is his estimate for the PSBR for the rest of 1996; and if he will make a statement. [24307]

6. **Mr. Austin Mitchell:** To ask the Chancellor of the Exchequer if he will make a statement on the change in the level of Government borrowing over the last financial year. [24313]

The Chief Secretary to the Treasury (Mr. William Waldegrave): The provisional outturn for the 1995-96 PSBR is £32 billion. Excluding privatisation proceeds, that is £8 billion lower than the previous year.

An updated forecast of the 1996-97 PSBR will be published in the summer economic forecast in a couple of months' time.

Mr. MacShane: Is not that answer proof positive not just of the ideological disarray on the Treasury Benches but of technical incompetence? In the Red Book for 1995-96 we were promised a PSBR for this year of £21 billion, yet in the press release issued today that has increased to £32 billion. The Treasury was not able to account for £10 billion, which now has to be found. If any company were responsible for that, its finance directors would be sacked. I suggest to the Chief Secretary that perhaps Sir Richard Scott should be asked to set up an inquiry into where that money has gone.

Mr. Waldegrave: The expenditure controls have come in exactly on target yet again. For every year in which we set a new control total, we have hit it exactly. I do not think that there was any year under the previous Labour Government, except when the International Monetary Fund was running things, of which that could be said.

The Labour party has voted against every one of the expenditure control measures that we have taken. It has voted against them, lobbied against them and gone into the outside world and argued against them. Under Labour party policies, and under what it would have done if Labour had been in power, borrowing would have been much higher, as it would be if ever Labour got to power.

Mr. Mitchell: Is the Minister aware that, as a proportion of gross domestic product, the national debt is now more than 50 per cent., which is about the same as it was in 1979-80, despite the fact that he has had more than £100 billion of revenue from North sea oil, plus all the revenue from privatisation? This year's PSBR will cost about £3 billion, and every year into the future, just to pay the interest on it. That is accumulating deadweight debt. Is that responsible finance?

Mr. Waldegrave: It is extremely helpful to have support for Conservative economic policies from anywhere in the House and it is wonderful to hear Opposition Members arguing in favour of lower spending,

lower debt and lower taxes. The trouble, however, is that we all know that that is wonderland. If the Labour party came into power, it would be just like it was when Labour was in power before: higher borrowing, higher taxes, higher spending—and I am advised that the hon. Gentleman has his tie on upside down.

Sir Peter Hordern: Does my right hon. Friend agree that it is important to keep the PSBR as low as possible to keep interest rates low, otherwise it would be impossible to have tax cuts, but is it not pretty rich for the Opposition to talk about the PSBR when, as a proportion of GDP, the PSBR was so high under Labour that the Labour party collapsed into the arms of the IMF on two occasions?

Mr. Waldegrave: I agree with my right hon. Friend. He is clearly right. Many people are asking—many supporters of the Labour party are asking—what on earth is the point of a party of, allegedly, the left that argues the same case as the Conservatives? Where has the dialectic of politics gone? The truth is that it has not gone at all. If the Labour party ever got back into power, we would have higher spending, higher borrowing, higher taxes, as we always do under a Labour Government, and higher unemployment, too. There has never been a Labour Government who did not leave unemployment higher than they found it.

Mr. Legg: Will my right hon. Friend accept my congratulations on the progress that he has made in reducing the PSBR over recent years? Is he aware, however, that if Britain were part of a single currency, the current deficit would be unacceptable, the United Kingdom would be subject to fines, and the timing of tax increases and public expenditure reductions would no longer be a matter for the Chancellor and the approval of the House? Does he accept that such a reduction in the powers of Her Majesty's Ministers and the authority of the House would be unacceptable?

Mr. Waldegrave: We are doing what we believe to be right for this country, and we would be doing it in any circumstances and shall continue to do it. It is noticeable that the debt to GDP ratio in the United Kingdom has fallen since 1979, whereas it has up to doubled in the other big countries of the EU. The sensible policies followed by the Conservative Government over the past years, which will be continued whatever happens, seem to me to stand on their own merits.

Sir James Molyneaux: Will the Chief Secretary consider recommending raising the retirement age and thus make a big contribution to reducing the public debt?

Mr. Waldegrave: The right hon. Gentleman makes an interesting point—which, incidentally, is referred to in the IMF world report which was published today. That report reveals the long-term strength of the United Kingdom's position, thanks to our funded pensions. We have almost no "contribution gap"—if I may use the jargon—whereas a number of other countries, especially those that follow the Opposition's policies of implementing the social charter and high social spending, among others, now face severe difficulties.

Mr. Gallie: Will my right hon. Friend tell us how important the recent successes of the car industry have been in dealing with the continuing pressures on the public sector borrowing requirement? Following the words of the hon. Member for Birmingham, Ladywood (Ms Short), will he also tell us what effect such ideas, if implemented, would have on car ownership?

Mr. Waldegrave: We seem to have witnessed the shortest ever half-life of a Labour policy. Yesterday, a policy relating to punitive taxation of company cars was leaked; it has already been withdrawn today, in the *Evening Standard*.

My hon. Friend makes a good point. We are now a major car manufacturing and exporting country again: we are exporting and producing as many cars as we were in the early 1970s. The proposals advanced by Labour's transport spokesman would damage that position.

Mr. Charles Kennedy: In an interview with Sir David Frost in September 1994, the Chancellor of the Exchequer said that a public sector borrowing requirement of £30 billion was no basis for cutting taxes. Where does that leave the Government's tax-cutting strategy today, given that we now have a PSBR of £32.2 billion? Has the Chancellor abandoned his previous position, or has the Government's strategy collapsed?

Mr. Waldegrave: The hon. Gentleman is labouring under a misapprehension. The figure that has just been reported relates to the last year; the taxes that we have introduced will affect next year.

Mr. Jacques Arnold: Would not the PSBR forecast for this year have been much lower without the costs of the bovine spongiform encephalopathy scare, stoked up so disgracefully by the hon. Member for Peckham (Ms Harman)?

Mr. Waldegrave: I suspect that my hon. Friend is right. *[Interruption.]* Opposition Members laugh; they are laughing at the damaging of livelihoods by the scares caused largely by Labour's health spokesman, which I do not consider a laughing matter.

Public Spending Targets

4. **Dr. Wright:** To ask the Chancellor of the Exchequer what plans he has to review his public spending targets. [24309]

Mr. Waldegrave: The Government's objective for public spending is to reduce it as a share of gross domestic product over time, and in particular to reduce it to below 40 per cent. The last Budget set out plans to achieve that in 1997-98. If we can go further than 40 per cent. we will, and the target is constantly reviewed.

Dr. Wright: Is the Chief Secretary aware that Opposition Members follow the Chancellor's predictions with considerable interest? We particularly enjoyed his recent prediction that, because the electors of South-East Staffordshire now felt so good about the Government's economic policies, they would show their appreciation in the usual way. In view of the current state of the Chancellor's predictions on both growth and borrowing,

is it not the case that he will be able to deliver a pre-election tax bribe only at the expense of public spending cuts of a savagery that he personally would find unacceptable? Although Opposition Members might understand that, has the Chancellor the slightest chance of explaining it to the ideological warriors seated behind him?

Mr. Waldegrave: We do not follow either the predictions or the opinions of Opposition Front Benchers with much interest, because they have no predictions or opinions. That is one of the problems of debating economics in the House. My right hon. and learned Friend the Chancellor has delivered an economy that is working more strongly and stably than, perhaps, at any point in my lifetime, and I think that he and the House should be proud of that.

Mr. John Marshall: I thank my right hon. Friend for his answer. It will be warmly welcomed by most people, who realise that lower taxes will come only from lower Government expenditure. Would not public expenditure soar under a Government whose members approached every problem with a blank cheque?

Mr. Waldegrave: We have hit our spending targets in each of the past four years, although they have been tough, and I intend to ensure that we hit them again this year. I do not think that any serious economic commentator believes that Labour could keep spending at the levels that we have planned, but we will do so.

Taxation

5. **Mr. Jamieson:** To ask the Chancellor of the Exchequer what representations he has received from the public on current levels of taxation. [24312]

The Economic Secretary to the Treasury (Mrs. Angela Knight): My right hon. and learned Friend the Chancellor has received a number of representations on current levels of taxation, including some from residents of Plymouth welcoming the tax cuts made in his November Budget.

Mr. Jamieson: Can the Minister confirm that, by the end of this financial year, a typical family, even in Plymouth, will have paid £2,000 more in taxes since the general election? Will she also confirm that she supported those 22 tax rises which have confirmed that the Tories are instinctively a party of higher taxation?

Mrs. Knight: I will confirm that, as a consequence of the November Budget, tax changes are worth £190 this year to couples with children. The improvement in the economy means that they are likely to be £450 better off and, since 1979, they are £4,500 better off. That is our record. When the hon. Gentleman's party was in power from 1974 to 1979, people were better off by only £80. They are £4,500 better off under the Conservatives.

Mr. John Townend: Can my hon. Friend confirm that the Government intend to have plenty of clear water between themselves and the Opposition on taxation policy? I urge the Government to cut spending so that they can safely continue to cut taxes and make it clear to voters at the next election that we are still the party of low taxation and Labour is the party of high taxation.

Mrs. Knight: I can assure my hon. Friend that we shall be prudent in everything we do. We are aware that successful countries are those that tax less and spend less, and we propose to make this a successful country. I can also assure him that a recent survey of 600 executives concluded that most of them forecast higher taxes, greater unemployment, a diminished international standing and a resurgence of the left if Labour came to power. The Opposition are not fooling people, I am glad to say.

Mr. Darling: Can the Economic Secretary confirm that a typical family is now paying a higher effective rate of tax than it did in 1979, and that the only Tory instinct on taxation is to mislead and distort? Far from getting a tax bonanza, as the chairman of the Tory party claimed today, Britain is getting a tax nightmare for millions, and that nightmare is about to be experienced by rather a large number of the Minister's colleagues.

Mrs. Knight: I can confirm that we have the lowest basic rate of tax for over 50 years, that people will be better off this year as a result of the combination of the Budget and the improving economy and that people are substantially better off since 1979. When Labour had its chance, it crucified people and companies with taxes. That is why people left the country and why businesses were doing so badly. Under us they are not doing that: they are doing well.

Film Industry

7. **Sir Michael Shersby:** To ask the Chancellor of the Exchequer what measures have been introduced by Her Majesty's Treasury since May 1979 to assist the British film industry; and if he will make a statement. [24315]

The Financial Secretary to the Treasury (Mr. Michael Jack): Before 1979, there were no special tax rules for the film industry. Since then, the Government have provided a number of special tax concessions to help the industry.

Sir Michael Shersby: Does my hon. Friend agree that since 1979 the Conservative party has been the true friend of the British film industry? Will he remind the House of some of those tax policies, such as income matching, and of the economic policies that have helped one of our most successful industries to prosper?

Mr. Jack: My hon. Friend speaks with considerable knowledge because of his involvement in the film industry. He is right to underscore the fact that, as I said in my answer, before 1979 there was no special tax help for the industry. Now the system of income matching, which we introduced, means that tax relief of up to £80 million a year is given to the industry. My hon. Friend may care to note a point in addition to tax, that Mr. Tony Scott, who recently bought Shepperton studios, told Barry Norman's "Film 96" that one of the reasons he made "Judge Dredd" in this country was that production costs were some 33 per cent. lower than in America. Goodness knows what that would be if Labour implemented the social chapter.

Taxation

8. **Mr. Mullin:** To ask the Chancellor of the Exchequer what plans he has for tax reductions; and if he will make a statement. [24316]

Mr. Kenneth Clarke: The Government are committed to making further progress towards a 20p basic rate of tax when it is right for the economy to do so.

Mr. Mullin: We know that the Chancellor comes from the civilised wing of his party—possibly the Chief Secretary does as well. Does the Chancellor agree that it would be wholly irresponsible to attempt to purchase the result of the next general election with tax cuts? Will he take this opportunity to make that clear to his hon. Friend the Member for Bridlington (Mr. Townend), his right hon. Friend the Member for Wokingham (Mr. Redwood) and their mean-minded friends on the Benches behind him?

Mr. Clarke: I confirm that it would be wholly wrong to attempt to buy the next election by irresponsible tax cuts, and we have no intention of doing so. We aim to lower taxation as part of our policy of producing a strong industrial economy. The hon. Gentleman comes from the civilised wing of his party, as does the hon. Member for Birmingham, Ladywood (Ms Short)—that section of the Labour party that believes in higher taxation, higher expenditure and higher public borrowing. Those hon. Members would revert to such a system if the present Labour Front Benchers—who are completely vacuous and empty on all these subjects in public—ever took Labour back into power.

Mr. Budgen: Has my right hon. and learned Friend received any advice recently from one of the most distinguished Labour statesmen, Lord Healey, who said in 1977 that he intended to squeeze the rich until the pips squeaked?

Mr. Clarke: I have not recently had his advice but, like my hon. Friend, I well recollect the experience of having Lord Healey as Chancellor, when the top rate of tax on earned income was 83 per cent. In addition, by taking the public sector borrowing requirement as a proportion of gross domestic product to 7 per cent., Labour was really deferring yet more taxation which would have come in had the Conservatives not taken office in 1979. We must avoid, above all else, a repeat of that experience.

Mr. Gordon Brown: Given that any statements that the Chancellor makes about tax and borrowing have been about as accurate as his forecast of a Conservative election victory in South-East Staffordshire, and given that the forecasts of public borrowing in the Conservative Budget at the previous election have been exceeded over the past four years by £46 billion—forecasts that were used to justify tax cuts that could not be sustained—does the Chancellor therefore now agree that his borrowing forecast for November should be subject to an independent audit by people outside the Treasury so that the Conservative party can never mislead the people of this country about tax and borrowing again?

Mr. Clarke: The hon. Gentleman advised his party not to vote against the tax cuts that I was able to introduce in the last Budget, one of the few wise decisions—indeed, one of the few decisions of any kind—that he has taken since he started shadowing me. The borrowing forecast for next year will be below the £30 billion that the Liberal Democrat spokesman—*[Interruption.]* I know of no one who believes that it will be above £30 billion. It is clear that our borrowing requirement is on a downward path towards balance in the medium term, and that is the foundation of our policy. I forecast that we would move towards balance in the medium term, that we would move towards an inflation rate of 2½ per cent. and that we would make progress towards a 20 per cent. basic rate—all that is coming true, as is my forecast that we would have the strongest economic recovery in western Europe. The hon. Gentleman's history of forecasts used to be dreadful, when he made any, but he has not made one for a year or two.

Mr. Duncan Smith: Does my right hon. and learned Friend agree that the real debate is about whether the Government agree to what degree, how much and when we reduce taxation, as opposed to the Opposition, who wonder to what degree they can resist raising taxation? In line with that, has he received any quiet submissions from anybody in Birmingham, Ladywood?

Mr. Clarke: We know that tax reductions go in line with the proper control of public spending and that tax reductions have to be seen as part of an overall policy of creating a healthy enterprise economy. That is a clear and consistent policy that is producing results. I have received no representations from any Opposition Member, and it would be hopeless to expect any comment from Labour Front Benchers. I look forward to a reshuffle of shadow posts, because the shadow Secretary of State for Transport obviously has views on the subject—they lie in a tax-raising direction. Perhaps the hon. Member for Dunfermline, East (Mr. Brown) might have to devote himself to roads and tramways for a year or two to come.

Finance Bill

9. **Mr. Jim Cunningham:** To ask the Chancellor of the Exchequer what assessment he has made of the impact of the Finance Bill on job security. [24317]

Mr. Heathcoat-Amory: Government policy is to promote a climate for high living standards and employment growth. Yesterday's unemployment figures, which showed a fall of 25,700, demonstrate our success in achieving this. The Finance Bill contributes to job security because it allows people in work to keep more of what they earn and lowers the tax burden on employers.

Mr. Cunningham: Will the Minister confirm that 42 per cent. of those in employment are in temporary jobs and, at the same time, that the number of permanent jobs is dropping?

Mr. Heathcoat-Amory: There is nothing shameful about part-time work. The labour force survey shows that the great majority of those in part-time work like it because it suits their lives and because, very often, they are bringing up children. The hon. Gentleman, who clearly believes that the only real job is full-time, permanent, male employment in a heavy industry,

has been overtaken by modern patterns of employment. The important thing is that we have more people in work than any other major European country and that unemployment has been falling year after year.

Mr. Anthony Coombs: Does my right hon. Friend agree that what most improves job security is to see unemployment go down by 800,000, as it has over the past two years, decreasing by 25,000 in the last month alone? Has he noticed the recent report of the independent Employment Policy Institute, which stated that the minimum wage would wreck job prospects in the economy as a whole and would have an unduly bad effect on smaller companies, which account for the vast majority of job creation?

Mr. Heathcoat-Amory: My hon. Friend is quite right. The first security that people look for is a job and we are providing those jobs. The second security comes from keeping more of what they earn and save, and we are providing that too. On the issue of over-regulation and red tape costing employment, the evidence is here for all to see. Unemployment is falling in this country, but it is going up in European countries that have an over-rigid labour market.

Ms Primarolo: Does the Minister agree that security is also based on a belief that one will keep one's job and that half the work force now feel insecure in their job? Like the electorate in South-East Staffordshire, they do not believe the Government when they say that the economy is coming right. Can the Minister explain why those workers continue to feel insecure and what impact it is having on the economy?

Mr. Heathcoat-Amory: I have explained to the hon. Lady that security comes from rising employment, falling unemployment and reducing taxes so that people can keep more of the fruits of their labour. We are providing all those things.

Economy

10. **Mr. Patrick Thompson:** To ask the Chancellor of the Exchequer what representations he has received from representatives of manufacturing industry in East Anglia about the level of economic activity. [24322]

Mrs. Angela Knight: Treasury Ministers regularly receive representations on wide-ranging aspects of the economy including economic activity in manufacturing industry.

Mr. Thompson: Bearing in mind that prospects for the economy and for jobs in East Anglia are improving—the Government should take credit for those improvements—the overriding concern of business men and industrialists in East Anglia and Norwich is communications. Will my hon. Friend acknowledge that a financial priority—it must also be a priority for our right hon. Friend the Secretary of State for Transport—is the final dualling of the A11 link road between Norwich and London? That is vital. Will she take that into account, and will she visit Norwich to discuss it with local business leaders?

Mrs. Knight: I assure my hon. Friend that I will visit Norwich in early June as a consequence of the representations that he has made on behalf of his businesses. I will pass on his comments about the A11 to my right hon. Friend the Secretary of State for Transport. I assure my hon. Friend that the new method of financing roads will help communications in all parts of the country.

Bovine Spongiform Encephalopathy

11. **Mrs. Clwyd:** To ask the Chancellor of the Exchequer if he will assess the impact of the BSE crisis on his Budget policies. [24324]

Mr. Kenneth Clarke: I will take account of any financial and economic consequences of BSE in framing my proposals for my Budget in November.

Mrs. Clwyd: As the Government have made such a ghastly mess of this whole issue, and since Goldman Sachs is predicting that it will add £1 billion to the public sector borrowing requirement in the next year, does the Chancellor think that that is why the Prime Minister has had to rule out tax cuts with which to bribe the electorate in November?

Mr. Clarke: The Government are handling this extremely serious crisis for the British farming industry most effectively. We are seeking to restore public confidence and to intervene effectively in the farming and food industries to keep them in good shape for the eventual recovery of the beef market. There will be costs, because we have carefully targeted compensation and joined in proposals for intervention measures to ensure that the farming and food industries do not suffer because of a short-term shock that was beyond their control.

We do have a reserve to cover just such unforeseen contingencies, and I expect to be able to meet the costs of any measures that we have to take to deal with the BSE crisis without breaking the new control total or our public expenditure plans.

Sir Peter Tapsell: Despite the disgracefully anti-British behaviour of the European Union over the British beef problem, has my right hon. and learned Friend been heartened by the fact that over this period the gilt edge market has remained entirely robust, thus indicating the confidence of the international investment community in Britain and in this Government?

Mr. Clarke: There is no scientific reason, as we all know, for the fears about eating British beef. The Government have had to counter the hysteria in this country and abroad that has led to falls in consumption at home and bans on our beef in America, Australia, New Zealand and the European Union. We are determined to ensure that the reputation of British beef is restored throughout the world. Indeed, the British beef industry deserves to be as healthy as the bond market. I agree with my hon. Friend that the confidence of the bond market and the gilt edge market in our conduct of the British economy should eventually be reflected in beef industry sales and in confidence in the good quality of British beef.

Taxation

12. **Mr. Hoyle:** To ask the Chancellor of the Exchequer what assessment he has made of the effect of current levels of taxation on (a) individuals and (b) the economy. [24326]

Mr. Kenneth Clarke: A family on average earnings is expected to be around £450 better off this year. I expect current levels of taxation to help to sustain a good level of recovery for the economy, with rising employment and rising prosperity.

Mr. Hoyle: Will the Chancellor confirm that the average family paid less total tax in 1979-80 than it does today? He says that cutting taxes is not a priority, yet the right hon. Member for Wokingham (Mr. Redwood) says that taxes must be slashed. Who is right? Is it any surprise that *The Daily Telegraph* today states that the Government are a disaster?

Mr. Clarke: The hon. Gentleman's proposition is wrong. The average family in 1979 paid less tax than now because it earned so much less and was much poorer. The average family today, after tax and inflation in today's money, is more than £4,000 a year better off than in 1979. It is true that in that year the Labour Government had got the percentage of taxation down to a low level, but they combined that with a 7 per cent. of GDP public sector borrowing requirement—which is merely taxation postponed. Indeed, the Conservative Government had to raise taxes in 1981 to pay for that. Now, taxation is falling, the economy is growing and personal living standards are rising. That would never have been achieved by the former Labour Government and will never be achieved by a future Labour Government.

Mr. Forman: Will my right hon. and learned Friend take every opportunity in his next Budget to see what further improvements can be made to the regime of corporate taxation, as it is vital that this country has a corporate tax regime that is competitive with the most competitive countries in the world?

Mr. Clarke: We continually look for ways to lighten the cost burdens on those who create employment and wealth. We already have the lowest rates of corporate taxation in western Europe, and we have a particularly low rate for small businesses. But I agree that this must be given a high priority in future policies if we are to continue to build up the kind of healthy enterprise economy that we want.

Mr. Mike O'Brien: Did I miss it, or did the Chancellor blunder into the admission that the share of tax take is higher now than it was in 1979?

Mr. Clarke: It is much lower than the average during the previous Labour Government. The economy is bigger, personal living standards are higher and taxation is now coming down. All that will be reversed if we return to the policies of the former Labour Government. I thought that only people like the hon. Member for Birmingham, Ladywood (Ms Short) sing the praises of the last failed Labour Government and claim that they will base themselves on that Government's policies, which took public debt and inflation to record levels, increased unemployment and brought this country to ruin—from which only a Conservative Government could rescue it.

Decimalisation

13. **Mr. David Evans:** To ask the Chancellor of the Exchequer how long the decimalisation of the United Kingdom's currency took from its inception to its complete implementation. [24333]

Mrs. Angela Knight: The decision to go ahead with decimalisation was announced in March 1966. The first Decimal Currency Act was passed in July 1967. Decimalisation took place on 15 February 1971. I still refer to 50p as 10 bob.

Mr. Evans: Is my hon. Friend aware that the British people do not want, after fighting two world wars for freedom, to give up their pound for a single currency? Is she further aware that the lot opposite would sign everything away to Europe? Is it not a fact that we are the party of the Union Jack and that it is the party of the skull and crossbones of Brussels?

Mrs. Knight: Nobody can ask such questions as well as my hon. Friend. Not only do I agree with him—[HON. MEMBERS: "Oh."]—as regards the attitude of the lot opposite, but it would impose a jobs tax on all of us. Thanks to the opt-out negotiated by my right hon. Friend the Prime Minister at Maastricht, the United Kingdom will not take part in a single currency unless that is in the interests of the United Kingdom.

PRIME MINISTER

Engagements

Q1. **Mr. Dykes:** To ask the Prime Minister if he will list his official engagements for Thursday 18 April. [24304]

The Deputy Prime Minister (Mr. Michael Heseltine): I have been asked to reply.

My right hon. Friend the Prime Minister is in the Ukraine, ahead of the G8 Moscow summit on nuclear safety and security.

Mr. Dykes: Is my right hon. Friend aware that I much agree with his anxieties about the need to avoid creating an unnecessarily heavy bureaucracy in London? However, in view of the excellent *Evening Standard* campaign for the notion of just an elected mayor and the fact that millions of Londoners do not want that concept to be the preserve of one or more than one political party, will my right hon. Friend think again about that proposal and return with further thoughts in due course—bearing it in mind that London, like other capital cities, needs to be famous and have an elected mayor?

The Deputy Prime Minister: The Government have explored that idea but it would be realistic to say that no hon. Members on either side of the House gave it overwhelming acclaim. Opposition came from Members of Parliament and from the local authority community. It is apparent that one can move to a directly elected mayor

only with a root-and-branch overhaul of London's local government structure, including the relationship between local and central Government. I do not believe that there is a public appetite for that, facing the real and urgent issues that the Government are addressing with such success for London.

Mr. Prescott *rose—*

Hon. Members: Middle class.

Madam Speaker: Order. Calm down.

Mr. Prescott: Please.

Does the Deputy Prime Minister remember his shrewd analysis of November 1990—that the only way to restore the fortunes of the Conservative party was to dump Prime Minister Thatcher? Following the Tories' humiliation in South-East Staffordshire last Thursday, what is the right hon. Gentleman's analysis now?

The Deputy Prime Minister: I am most grateful to the right hon. Gentleman because I have a new analysis. This week has seen three blows to the middle classes. First, the hon. Member for Birmingham, Ladywood (Ms Short) admitted that the Labour party will put up their taxes. Secondly, we learned that Labour will tax company cars. Thirdly, the right hon. Member for Kingston upon Hull, East (Mr. Prescott) has become a member of the middle classes.

Mr. Prescott: The right hon. Gentleman should realise that all classes voted for Labour in South-East Staffordshire. Will he explain to the House why, if it was right to dump Prime Minister Thatcher in 1990 when the Tories were so unpopular, it is not right to dump Prime Minister Major now when the Tories are even more unpopular?

The Deputy Prime Minister: Because, as the right hon. Gentleman knows, all classes gave this Prime Minister the biggest popular vote in the history of the Conservative party, and because the conditions are now in place to secure a fifth Conservative victory. There are excellent economic forecasts and improving standards in education, and we shall see the current Prime Minister back in his job after the next general election.

Mr. Prescott: Is not the real problem for the Tories the fact that whatever they do will not make a scrap of difference, because, as *The Daily Telegraph*—the bible of the middle classes—said today:

"this Government is a disaster."?

Is it not time that the Deputy Prime Minister realised that the only answer is for him, his Government and the country to be put out of their misery by calling a general election now?

The Deputy Prime Minister: Not only has the right hon. Gentleman joined the middle classes; he has started reading a middle-class newspaper. The fact is that, however much one may disagree with much of today's leader in *The Daily Telegraph*, one thing I can agree with wholeheartedly is that it realises that a Government formed of Opposition Members would be infinitely worse.

Mr. Harris: What assurance can my right hon. Friend give fishermen from my constituency and from ports all round the coast of the United Kingdom who have come to London today—they are sailing up the Thames now—about the future of the industry? I agree with my right hon. Friend that we cannot withdraw unilaterally from the common fisheries policy and remain a member of the European Union, but does he agree that the common fisheries policy is inflicting huge damage on the industry and that it must be torn up and renegotiated?

The Deputy Prime Minister: My hon. Friend is as well informed on fishing issues and policy as anyone in the House. I have just had a word with my hon. Friend the Minister with responsibilities for fisheries, who is to receive a delegation from the wider delegation that is in London today and who will be exploring its concerns. We have already dealt with some of its concerns. We are working closely with scientists on, for example, conservation to find more effective means of dealing with its concern. We have also made it clear that, in the context of the intergovernmental conference, we shall be raising the issue of quota hopping. We shall listen extremely carefully to the representatives of the fishing industry.

Q2. **Mr. Jamieson:** To ask the Prime Minister if he will list his official engagements for Thursday 18 April. [24306]

The Deputy Prime Minister: I have been asked to reply.

I refer the hon. Gentleman to the reply I gave some moments ago.

Mr. Jamieson: Is not the Deputy Prime Minister's real objection to the idea of a mayor for London that he loves new titles only when he can have them?

The Deputy Prime Minister: Having moved from being President to Deputy Prime Minister, it may not seem to be an advance now to become a mayor. If, on the other hand, by the united view of the House I were to be offered the job, I would have seriously to consider it.

Mr. Butcher: Does my right hon. Friend have a sneaking respect for those good, honest socialists who are stinking rich but who are prepared to argue that the rich should pay higher taxes? Would he, therefore, like to remind such people—Ben Elton, Maureen Lipman, Ken Follett and Melvyn Bragg—that nothing is stopping them now from voluntarily contributing more taxes? If we are to take the Ladywood line, anyone who is tempted to vote Labour who is currently earning a Member of Parliament's salary of £34,000 or more can start paying extra taxes now if they want to, because there may not be a future Labour Government to force them to do so.

The Deputy Prime Minister: My hon. Friend makes a most important point. My right hon. and learned Friend the Chancellor of the Exchequer who, the House will note, is in his place, mentioned to me that anyone who wants to get in touch with him and make a gesture pro bono publico will be warmly received. But the PSBR is coming down anyway, so there is no immediate need to make any request of that sort.

The serious issue for the House is not whether there should be higher or lower public expenditure or tax but whether an Opposition party can systematically refuse to answer any questions about whether it intends to raise taxes, and for whom. An Opposition spokesman was literally clawed off the airwaves on a day when she should have been dealing with her major responsibility on the privatisation of British Rail because the Labour party was terrified that she would not tell the truth but repeat the truth.

Q3. **Mr. Simon Hughes:** To ask the Prime Minister if he will list his official engagements for Thursday 18 April. [24308]

The Deputy Prime Minister: I have been asked to reply.

I refer the hon. Member to the answer I gave some moments ago.

Mr. Hughes: On the subject of tax, the figures that we heard this morning showed an outturn for the year just gone of a PSBR of £32 billion against a projection of £21 billion. Does the Deputy Prime Minister agree with the Chancellor, who on "The World at One" today said that if before the next Budget the figures for the year that we have just started showed that the real PSBR was still £30 billion or higher, there would be no scope for tax cuts? Does he accept that that will mean that in the history of this Administration there will not have been tax cuts under the Tories, there are not now tax cuts under the Tories and, if all independent fiscal advice is prudently followed, there cannot be tax cuts before the next election under the Tories?

The Deputy Prime Minister: As I understand Liberal policy, the hon. Gentleman should support the Government in the Lobby. The Liberal party constantly seeks to increase tax bills, but my right hon. and learned Friend the Chancellor will make judgments about the proper balance between public provision and tax reductions. What everyone knows, and what my right hon. and learned Friend the Chancellor's last Budget made clear, is that when it can be prudently done, a Conservative Government will reduce taxes. That is why there has been a significant improvement in people's real disposable income in the past few weeks, as taxes have come down under this Conservative Government.

Q4. **Sir Michael Neubert:** To ask the Prime Minister if he will list his official engagements for Thursday 18 April. [24310]

The Deputy Prime Minister: I have been asked to reply.

I refer my hon. Friend to the answer I gave some moments ago.

Sir Michael Neubert: Does my right hon. Friend bank at Barclays? Was it not an awful waste of the bank's money to send the hon. Member for Hartlepool (Mr. Mandelson) all the way to Hong Kong—

Madam Speaker: Order. I remind the hon. Gentleman that he must ask the Deputy Prime Minister questions on matters for which he has responsibility as a Minister.

Sir Michael Neubert: With UK share prices hitting record highs, with unemployment coming down yet again this month by 27,500, and with price rises at their lowest levels for a generation, would not the hon. Member for Hartlepool do more to his own advantage by staying closer to home?

The Deputy Prime Minister: I am extremely grateful to my hon. Friend for raising this subject because it is apparent from an article in *The Times* that the hon. Member for Hartlepool (Mr. Mandelson) had a task that could be interpreted as being in support of Government policy. He said:

"We must step up our efforts to promote the town"

of Hartlepool.

"I am pleased to announce that during Easter I am travelling to Japan, Korea, Hong Kong and Singapore to beat the drum for investment in Hartlepool."

That is Government policy. The problem is, of course, that the trip was paid for by Barclays bank and it has a different view. It said in the article:

"The trip had nothing to do with Hartlepool. The only connection we have with Hartlepool is a branch in the High Street."

Mr. Galloway: Has the Deputy Prime Minister had time to see the devastating pictures of the shattered United Nations peacekeepers' base in the south of Lebanon? In the past few hours, more than 50 Fijian soldiers, Lebanese and Palestinian refugees—men, women and children—have been slaughtered by the Israeli invasion force. Does the right hon. Gentleman know that this morning, some hours earlier, a mother, her four-day-old child and her six other children were killed by an Israeli air raid on her home in south Lebanon? Does he agree that the flames now burning in Lebanon run the risk of burning to ash all the hopes of the peace process in the middle east? Will the British Government support an emergency meeting of the Security Council to try to bring the cycle of devastating violence to an end?

The Deputy Prime Minister: I am grateful to the hon. Member for raising the subject of that appalling human tragedy, which shows all of us in the House how fragile peace processes are and how innocent the victims can often be. I have personally seen Fijian soldiers serving in the interest of the United Nations. They are an immensely impressive force and they do a wholly desirable task on behalf of a wider world. But when one considers the issues involved in south Lebanon and the attacks that Hezbollah has made on Israel from there, it is apparent that one is facing a near intractable problem of the deepest concern to the international community. The Government will do all that we can to play any part in accelerating the processes of peace and the restoration of a ceasefire. That, I understand, is the Israeli position and we strongly support that position. I am sure that the House will extend its sympathy to the relatives of those who were so unfortunately killed in today's incident.

Business of the House

3.31 pm

Mrs. Ann Taylor (Dewsbury): May I ask the Leader of the House for details of future business?

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): The business for next week will be as follows:

MONDAY 22 APRIL—Consideration in Committee of the Northern Ireland (Entry to Negotiations, etc) Bill.

TUESDAY 23 APRIL—Conclusion of consideration in Committee and remaining stages of the Northern Ireland (Entry to Negotiations, etc) Bill.

WEDNESDAY 24 APRIL—Until 12.30 pm, debate on the National Heritage Committee report on the British Film Industry, followed by a debate on the reports from the Select Committee on the Parliamentary Commissioner for Administration and the Social Security Committee on the Child Support Agency. Followed by debates on the motion for the Adjournment of the House.

In the afternoon, consideration in Committee of the Family Law Bill *[Lords]*. Followed by remaining stages of the National Health Service (Residual Liabilities) Bill.

THURSDAY 25 APRIL—Consideration of any Lords Amendments that may be received to the Rating (Caravans and Boats) Bill.

Followed by remaining stages of the Channel Tunnel Rail Link Bill.

FRIDAY 26 APRIL—Private Members' Bills.

On a more provisional basis, the business planned for the following week will be as follows:

MONDAY 29 APRIL—Progress on remaining stages of the Housing Bill.

TUESDAY 30 APRIL—Conclusion of remaining stages of the Housing Bill.

Motions relating to the Education (Grants for Nursery Education) (England) Regulations and the Education (Grants for Education Support and Training: Nursery Education) (England) Regulations.

WEDNESDAY 1 MAY—Until 2 o'clock, there will be debates on a motion for the Adjournment of the House.

Motion on the Elections (Northern Ireland) Order. Followed by a motion on the Deregulation and Contracting Out (Northern Ireland) Order.

Followed by remaining stages of the Licensing (Amendment) (Scotland) Bill.

THURSDAY 2 MAY—Second Reading of the Arbitration Bill *[Lords]*.

FRIDAY 3 MAY—The House will not be sitting.

The House may also be asked to consider any Lords messages that may be received.

On this occasion, I can even go so far as to give the House some helpful information about the following week. Monday 6 May is a bank holiday and the House will not be sitting.

I am trying to make my announcements on European Standing Committees a little more user-friendly. The House will wish to know that European Standing Committees will meet at 10.30 am on Wednesday 24 April to consider European Community documents as follows:

European Standing Committee A: There will be a debate on agricultural strategy for the European Union and the associated countries of central and eastern Europe.

European Standing Committee B: There will be a debate on five documents relating to economic and monetary union.

Details of the relevant documents will be given in the *Official Report*.

It may also be for the convenience of the House to know that it is proposed that European Standing Committee A will meet on Wednesday 1 May to debate natural mineral waters.

[Wednesday 24 April:

European Standing Committee A—European Community Document: 12503/95, Agricultural Strategy: EU and the Associated Countries. Relevant European Legislation Committee Report: HC 51-vi (1995-96).

European Standing Committee B—European Community Documents: (a) 11987/95, Progress towards Convergence; (b) 10380/95, Employment in Europe; (c) 11417/95, Effect of Currency Fluctuations on the Internal Market; (d) 11478/95, Social Security and Related Expenditure; (e) 12633/95, Exchange Rate Relations in Stage Three of Economic and Monetary Union. Relevant European Legislation Reports: HC 51-v (1995-96) and HC 51-x (1995-96).

Wednesday 1 May:

European Standing Committee A—European Community Document: 12712/95, Natural Mineral Waters. Relevant European Legislation Committee Reports: HC 51-viii (1995-96) and HC 51-xiv (1995-96).]

Mrs. Taylor: May I thank the Leader of the House for that information and in particular for the notice of the provisional business for the week after next? Will he build on that good will by giving as early an indication as possible to the House of the likely date of this year's summer economic debate? That would be of interest to all hon. Members. May I also ask him to ensure that the House is kept fully informed of any developments on bovine spongiform encephalopathy? He knows that there are still unresolved issues following Tuesday's statement. It is important that hon. Members should be able to continue to express their views and concern on that vital issue.

We now know that next Wednesday, European Standing Committee B will consider certain EC documents. The Leader of the House will be aware that I have raised with him the concerns expressed by Members on both sides of the House and by the Select Committee on European Legislation, that those matters should be debated on the Floor of the House rather than in Committee. As the issues involved include the impact of currency fluctuations on the internal market, progress towards convergence and exchange rate relations in stage 3 of economic and monetary union, may I ask him, even at this late stage, to reconsider his decision that those issues should be dealt with in Committee? If he will not change his mind on that, will he remind hon. Members that any Member can attend and participate in that Committee's discussions?

Will the Leader of the House find Government time for a debate on the future of the electricity industry? It is vital that the Monopolies and Mergers Commission report

currently sitting on the desk of the President of the Board of Trade is published and debated as soon as possible. All Members need access to that report, and it is important that the House should make an early decision on the best way forward for the electricity industry.

Finally, on another extremely important matter, will the Leader of the House ensure that there will be time in the near future for Ministers to come to the House and make it clear what action has been taken since last year's water supply crisis to protect the interests of families and industry throughout the country, especially in Yorkshire? We should be given a proper assessment by Ministers of what has been done since last summer and Ministers should be prepared to intervene as soon as action might be necessary to conserve water for this year. The Government cannot abdicate their responsibility for the health and economic implications of severe water shortages. We should debate the matter and there should be action by Ministers before another crisis occurs.

Mr. Newton: I note with appreciation the hon. Lady's introductory remarks and, as always, I shall seek to give the House the earliest possible indication of the summer economic debate.

On BSE, I think that everything that has happened in the past two or three weeks shows my willingness, and, indeed, that of my right hon. Friends, to keep the House closely informed of developments. Of course, we shall maintain that posture.

On the debate in European Standing Committee B, I doubt that the hon. Lady harboured hopes that I would change my mind at the Dispatch Box this afternoon. I cleave to the view that, in general, the very fact that Ministers can be closely questioned gives those debates some advantages over a conventional debate on the Floor of the House. I underline her reminder that another advantage of the format is that, although they would not be able to vote if there were a vote, any hon. Member can attend and speak at such meetings.

I have no plans for a debate in Government time on the electricity industry. The hon. Lady will be aware that consideration of MMC reports is undertaken by the President of the Board of Trade, who acts in what virtually amounts to a semi-judicial capacity. The time to contemplate such a debate, if there were such a time, would be when a conclusion had been reached on those reports.

I imagine that the hon. Lady's request for Ministers to make clear the current state of the water supply industry is influenced in part by her understandable and legitimate constituency considerations. I shall bring her remarks to the attention of my right hon. Friend the Secretary of State for the Environment, who, I note, will be in the House to answer questions on Tuesday 30 April.

Sir Jim Spicer (West Dorset): My right hon. Friend will have heard the reports of the speech made last night by the Commissioner responsible for farming, which make it clear that the meeting on 29 April will not result in the lifting of the ban on British beef. Against the background of the crisis that that fact poses for our farming community, does my right hon. Friend think that it might be possible for us to find time for a debate not on BSE but on British beef and its future? Given that we still import 30 per cent. of our beef from overseas and the European Community, is it not time that we told the public how they can help us to cut that import figure from 30 per cent. to nil and to increase the consumption of British beef to 100 per cent.?

Mr. Newton: I certainly think that many of my hon. Friends and Opposition Members would welcome the debate that my hon. Friend has proposed, even though I cannot say snap immediately to his proposal. I, too, would welcome any opportunity to remind people that scientists say that British beef is safe; the World Health Organisation says that British beef is safe; the Agriculture Commissioner says that British beef is safe; and in my view, British beef is safe. I am continuing to eat it.

Mr. Simon Hughes (Southwark and Bermondsey): I join other hon. Members in thanking the Leader of the House for the maximum advance notice of forthcoming business.

We have heard today's formal announcement that a total of two days will be given for proceedings in the House on the Bill on the Northern Ireland elections at the end of May. As the right hon. Gentleman will be aware, that is the second piece of legislation that he has had to bring before us in recent weeks that has been subject to an extremely tight timetable and has been rushed through, by any definition. May I ask him to give us an undertaking, if not today, at a later date, that if we are ever asked by his or any other Government to pass emergency legislation, the old precedent will apply, whereby it will stand on the statute book for one year only and can have a longer duration only if it is properly debated without a guillotine in due time?

Secondly, there is obvious interest in the House about the future structure of local government, with different views on both sides about mayors for councils and the structure of local government. After the local elections this year, may we have a debate about local government and its future, so that the range of options for the best running of it can be aired without the influence of the party Whips?

Mr. Newton: I shall bear both points in mind, as is entirely right and proper. In respect of any Bill, whether emergency or otherwise, one can consider points such as that raised by the hon. Gentleman only in relation to the nature of such legislation.

Mr. Nicholas Winterton (Macclesfield): May I thank my right hon. Friend for his announcement of the debates next week, on the Adjournment of the House, on the film industry and the Child Support Agency, although both those subjects merit a full day's debate rather than a half-day one? May I also support the call from the hon. Member for Dewsbury (Mrs. Taylor), the shadow Leader of the House, for an early date for the summer economic debate, not least so that we can hear from the hon. Member for Birmingham, Ladywood (Ms Short) her views on increased taxation, because many of us on the Conservative Benches believe that increased taxation is prejudicial to a healthy and growing economy?

Mr. Newton: The second part of my hon. Friend's question was characteristically helpful, and I shall bear it in mind. On the first part of his question, no doubt the Chairman of the Liaison Committee—with whom those

[Mr. Newton]

matters are normally discussed and on whose recommendations we normally proceed—will have considered what it is appropriate to suggest. I am glad that we have been able to provide time for debates on those two important matters.

Mr. Greville Janner (Leicester, West): May we please have an early debate on the alarming rise of arson attacks in the county of Leicestershire, which are up from 273 in 1988 to 1,385 in 1995? As five arson attacks have been made against schools in my constituency in the past three months—the latest of which caused grave damage to Beaumont Leys school—will the Leader of the House plead with the Secretary of State for Education and Employment to find a way in which schools can be helped to take security measures without cutting into their budgets, which are already far too short?

Mr. Newton: The hon. and learned Gentleman has raised that matter and others like it on a number of occasions. He will know that it is a matter that my right hon. Friend the Secretary of State for Education and Employment takes seriously. I shall bring to her attention the fact that he has raised the issue yet again, in an entirely responsible and balanced way. However, I hope that when he refers to crime in Leicestershire, he will acknowledge that recorded crime in the area fell by some 6 per cent. last year, including some important falls in quite significant crimes.

Mr. Harry Greenway (Ealing, North): May I ask my right hon. Friend for a debate next week on the decision of two London local authorities—both of which are Labour controlled, and including Ealing council—to take travel passes away from disabled people, including deaf people and severely disabled people, to save a few thousand pounds, despite the fact that they have been given millions of pounds for their standard spending assessments by the Government? Bearing in mind the great suffering of the people involved and their huge distress, could we have a debate next week to expose those councils and seek to have their miserable behaviour reversed?

Mr. Newton: I cannot promise a debate but, as ever, I point my hon. Friend in the direction of Wednesday mornings. I share his regret about the reports that he made, as I am a former Minister for the Disabled.

Mr. Harry Barnes (North–East Derbyshire): We have had several statements on BSE and we have been promised more. The other place has also debated BSE. Should we not have a debate about BSE before Whitsun? If there is a problem about the wide-ranging nature of the debate, could we not have debates on specific areas? For example, could we debate live tests on animals that would allow us a way out of the problem?

Mr. Newton: The hon. Gentleman will know that the issue of live tests has been put to my right hon. and learned Friend the Minister of Agriculture, Fisheries and Food on a number of occasions. He has explained the scientific and practical difficulty that no such test currently exists nor is in sight. However, I shall bring the point to his attention again. We have already had one debate on BSE, which I arranged at an early stage—and I acknowledge that it was for only three hours. I think that there may well be a case for a further debate at some stage, and I shall very much bear that in mind.

Mr. Nicholas Baker (North Dorset): Does my right hon. Friend agree that following the excellent package on BSE that the Minister of Agriculture, Fisheries and Food announced on Tuesday and the welcome news that the Euro ban is to be challenged, there is a case for a debate on this matter, on the particular issue of how to restore confidence in British beef and the eating thereof? Does my right hon. Friend agree that such a debate could demonstrate the concerns that members of the public have about the damage caused to our beef industry by hysteria and by the selfish attitude shown by our European neighbours and their Governments? We ought to have a debate to encourage consumers and to promote the eating of British beef—which can be done with pride and not with apology.

Mr. Newton: I have already commented on that matter. I take note of what my hon. Friend said. We shall press our points very hard within the European Union. On the question of confidence, I hope that my hon. Friend will take some encouragement from the fact that the latest reports suggest that beef consumption is at roughly 85 per cent. of pre-crisis levels and that cattle throughput in markets is nearing 60 per cent. of pre-crisis levels. While that is a long way short of what we would like, it is quite good progress.

Mr. Andrew Welsh (Angus, East): I draw the attention of the Leader of the House to the statement made by European Commissioner Fischler that he has no objection, in principle, to ending the ban on beef exports from specialist areas such as Scotland and Northern Ireland. Is he aware that there is legal precedent for that and that the only stumbling block is the failure of the British Government to press the case? I ask the right hon. Gentleman for an urgent statement or debate, either on the Floor of the House or in the Grand Committee, bearing it in mind that no Scottish Office Minister has made himself answerable on that important issue.

Mr. Newton: On the latter point, Scottish Office Ministers, including very much my right hon. Friend the Secretary of State, have been active in developing the measures that have been announced. My right hon. Friend is available to answer questions during the period covered by my statement. As for the interpretation that the hon. Gentleman places on the remarks said to have been made by Commissioner Fischler, I have not seen a complete report of those remarks. I am aware, however, that many people would not share the interpretation that the hon. Gentleman has sought to place upon them.

Mr. John Marshall (Hendon, South): May I ask my right hon. Friend to arrange an urgent and early debate on early-day motion 728?

[*That this House notes the honesty and integrity of the honourable Member for Birmingham, Ladywood, in stating her view as an honourable Labour Member that people earning more than £34,000 should pay more tax; agrees with her contempt for the ruthless arrogance of the staff of the Leader of the Opposition; and finds this latest episode shows Labour has not changed, in contrast to its marketing managers.*]

Such a debate would enable me to praise the hon. Member for Birmingham, Ladywood (Ms Short) for observing that many people would pay higher taxes under a Labour Government. If such a debate were to take place, the hon. Lady might not be silenced by the Leader of the Opposition, but I doubt it.

Mr. Newton: I shall bear my hon. Friend's request very much in mind. I, too, welcome the candour of the hon. Member for Birmingham, Ladywood (Ms Short), who has at least been willing to acknowledge things that we all know, but which no one else has been prepared to say.

Mr. Neil Gerrard (Walthamstow): The Leader of the House will have heard the question put to the Deputy Prime Minister by my hon. Friend the Member for Glasgow, Hillhead (Mr. Galloway), about the incident today in southern Lebanon. May I draw to the right hon. Gentleman's attention early-day motion 731?

[*That this House deplores the air strikes by Israel against civil Lebanese targets, including Beirut, and the collective threat forcing 400,000 Lebanese civilians to flee from their homes, and while in no manner giving any support to armed action by Hizbollah, notes the illegality of Israel's occupation of South Lebanon in defiance of UN Security Council Resolution 425; welcomes initiatives to bring about a cessation of Israeli military action; and urges the United Kingdom Government to act in co-operation with France and other willing European countries to broker a ceasefire and to explore the widest range of options which could lead to a just and lasting settlement on the basis of UN resolutions.*]

The motion draws attention to Israeli action in Lebanon and expresses the concerns of many Members on both sides of the House about what is happening and the approach of the Israelis to the problems in the Lebanon. If we do not have a debate, let us at the very least have a ministerial statement at the earliest opportunity, so that there is a chance for Members to speak directly and to question a Minister on policy on an important matter.

Mr. Newton: I heard the question asked by the hon. Member for Glasgow, Hillhead (Mr. Galloway). I heard also the reply of my right hon. Friend the Deputy Prime Minister, which I thought entirely appropriate and balanced. I do not think that I would wish to add to it.

Mr. Bill Walker (North Tayside): Will my right hon. Friend give serious consideration to the observations of the hon. Member for Angus, East (Mr. Welsh)? It is particularly important that we have a debate so that people such as myself can draw attention to the fact that the National Farmers Union of Scotland and other organisations have made it clear at public meetings that I have attended that they think that we must find a United Kingdom answer, and that anything that is done to divide us is likely to damage our long-term prospects in the negotiations with the rest of our partners in the Union.

Mr. Newton: I simply say that I am grateful to my hon. Friend for what I thought to be sensible remarks.

Mr. Paul Flynn (Newport, West): May we have a debate on the constitution, so that I can find a better answer to a question asked of me by a 10-year-old constituent of mine on television? He aspires to a certain job, but I had to tell him that he would never achieve his ambition because he is British. He could realise his ambition if he were American or a citizen of many other countries. Would it not be useful if we had a debate on the constitution, so that we could discover why the job of Head of State is confined to members of one undistinguished family?

Mr. Newton: The hon. Gentleman will not expect me to follow him down that path. I have no plans for such a debate.

Mr. Mike O'Brien (North Warwickshire): May we have an urgent debate on the relationship between the Home Secretary and chief constables, following great concern caused to several Warwickshire Members about what appear to be allegations against the chief constable of the county by the Home Secretary during an interview last Friday, when he suggested that the view of the chief constable and the police authority, that there was a financial crisis in the Warwickshire constabulary, was a myth and that someone was making up figures?

Mr. Newton: I have no direct account of my right hon. and learned Friend's remarks. I would not for a moment go along with the interpretation that the hon. Gentleman appears to be putting on them. It seems entirely appropriate for my right hon. and learned Friend, in that or any other context, to remind people of the increased resources for the police that have been steadily made available by the Government.

Mr. Peter Hain (Neath): Will there be an opportunity for a debate next week on the appalling level of racial violence in south Wales? According to Home Office figures, the number of reported racial incidents has increased by 29 per cent., which is more than three times the average across England and Wales in police authority regions and is extremely serious. What action do the Government intend to take on that?

Mr. Newton: In a way, that links with the previous question. The Government have made clear their commitment to increasing the resources and to various changes in policy and legislation designed to strengthen what is shorthanded as law and order. That would very much include our wish to see a reduction, indeed a removal, of incidents of racial harassment. The hon. Gentleman may wish to bring his concerns further to the attention of my right hon. Friend the Secretary of State for Wales, who is here to answer questions on Monday week.

Orders of the Day

Northern Ireland (Entry to Negotiations, etc) Bill

Order for Second Reading read.

Madam Speaker: I have selected the amendment standing in the name of the hon. Member for Upper Bann (Mr. Trimble).

3.55 pm

The Secretary of State for Northern Ireland (Sir Patrick Mayhew): I beg to move, That the Bill be now read a Second time.

The Bill, and the election for which it provides, are a means to an end. Together, they open a gateway into all-party negotiations. It is the only gateway available. I will describe why the Bill is needed.

All-party negotiations, comprehensive in their agenda, inclusive in their composition and successful in their outcome, have for years been the Government's objective. I believe that they have also been the objective of the constitutional political parties of Northern Ireland.

The history and background are well known. To promote negotiations, I know that political risks have been taken by many of Northern Ireland's politicians, sustained by the fervent wishes of the people of Northern Ireland. I am glad to acknowledge that today, and with considerable admiration.

Yet always at the root of the problem has been lack of confidence: lack of confidence that proper negotiations on the way ahead were possible between all democratically mandated parties. That lack of confidence has been built on generations of corrosive mistrust in the intentions of one community towards another, and on 25 years of terrorist activity, fundamentally hostile to democracy and reconciliation.

By proper negotiations, I mean negotiations whose participants all conform to the language used by the two Governments in paragraph 10 of the Downing street declaration made 28 months ago. That language spoke of parties which establish a commitment to exclusively peaceful methods, and which have shown that they abide by the democratic process. Those, it is said, were the parties that were free to participate fully in democratic politics, and to join in dialogue in due course between the Governments and the political parties on the way ahead.

In a democracy, nobody can be expected to sit down and negotiate politically with people who do not meet those requirements. As to that, there has never been any doubt as to the proper commitment of the two Governments, nor of the parties that represent the overwhelming majority of people on all sides of the community in Northern Ireland.

The House will recall the consistent efforts that have been made to bring such negotiations about. I will not rehearse them now. The Bill, however, offers a new way forward, to bring all parties together in negotiations on 10 June. It was an idea endorsed, as a confidence-building measure, by Mitchell. It was an idea for an elective process, which would give a mandate to participate in all-party negotiations, notwithstanding that prior decommissioning had not begun.

We concluded that that was, in the event, the only available route offering a viable, direct and speedy way into negotiations. So broad proposals were set out in the joint communiqué which followed a meeting between the Prime Minister and Mr. Bruton on 28 February. The Bill stems directly from that communiqué.

I now turn to the Bill and to the Command Paper published with it. The Bill is rightly entitled a Bill for "entry to negotiations". At its centre is a scheme for the elective process to which we committed ourselves in the communiqué of 28 February. Its motive is the creation of a mandate to sit down and negotiate with all parties, and to create thereby in all the parties the confidence to do so.

The Bill itself provides in detail for elections, for a forum, and for referendums. It does not itself provide for negotiations. It is, as I have said, a gateway for negotiations, not a blueprint for them. Therefore, following a useful and constructive process of consultation, we published at the same time a Command Paper setting out the best judgment of the two Governments, who will be participants as appropriate, as to the most suitable and broadly acceptable ground rules for all-party negotiations, beginning on 10 June. The negotiations referred to in the Bill are those described in the Command Paper.

At the outset, we state the purpose of the negotiations: to achieve a new beginning for relationships within Northern Ireland, within the island of Ireland and between the peoples of these islands, and to agree new institutions and structures to take account of the totality of relationships. Any participant in the strand in question, therefore, will be free to raise any aspect of the three relationships, including constitutional issues and any other matter that it considers relevant.

Miss Kate Hoey (Vauxhall): This is obviously a very important Bill, and it is very important for the people of Northern Ireland. Perhaps the Secretary of State should delay his speech a little, as no hon. Member from the second largest party in Northern Ireland seems to be present.

Sir Patrick Mayhew: I propose to proceed with the speech that I have been called on by Madam Speaker to deliver.

I must here make a most important point about participation. I take it from paragraph 9 of the Command Paper. Both Governments are agreed that participation of Sinn Fein in negotiations requires the unequivocal restoration of the ceasefire of August 1994. By the IRA terminating its ceasefire, and by its abominable attacks thereafter in London, it has totally excluded itself from political negotiations. I shall return to that.

Mr. David Wilshire (Spelthorne): My right hon. and learned Friend has stated again that Sinn Fein-IRA will have to reinstate their ceasefire. Will he make it clear that, this time, it will have to be permanent, that it will have to be declared to be permanent and that there must be no weasel words that fall short of saying that they will never ever return to violence?

Sir Patrick Mayhew: The Governments have agreed that there shall be an unequivocal restoration of the ceasefire of August 1994, but there is a difference, and that

is the requirement for the removal of the self-imposed exclusion that exists at present on Sinn Fein entering negotiations. What is new is that the Governments also agree—this is set out in the communiqué—that, at the beginning of those negotiations, it, like every other participating party, must make it clear that it is totally and absolutely committed to the six principles of democracy and non-violence set out in the Mitchell report, and at the same time additionally address the proposals made in that report for decommissioning.

Mr. Wilshire: I apologise for pressing this point, but, although my right hon. and learned Friend rehearsed the general terms, he did not address whether or not this time Sinn Fein-IRA will have to make it crystal clear that any ceasefire is permanent, for real and for ever.

Sir Patrick Mayhew: I repeat the language of the communiqué and of the two Governments. There must be an unequivocal restoration of the ceasefire of August 1994. That, in the ordinary English interpretation of the language, means one that admits of no other interpretation. That is the agreement of the two Governments.

Rev. Martin Smyth (Belfast, South): I note that the parties listed in the schedule as able to stand in the elections include Sinn Fein, while other Northern Ireland parties which have stood in elections—such as the Workers Socialist party and the Irish Republican Socialist party—are not included. Have they not been prepared to make an unequivocal statement that they are committed to Northern Ireland?

Sir Patrick Mayhew: Following the consultation paper, all parties that have asked the Government to include them have been included, along with those listed in the original Government paper. No party that has asked to be included has been excluded.

Rev. Ian Paisley (North Antrim): As the Secretary of State will realise, this is important to those of us who come from Northern Ireland. How will he decide that the IRA ceasefire—if it comes—is for real, if it comes only a few hours before he calls the meeting on 10 June?

Sir Patrick Mayhew: I appreciate the importance of the question, but I think it sensible to view the circumstances that prevail at the relevant time in their entirety. I do not believe that it is possible to give a hypothetical answer to a hypothetical question of that kind, or that it would be prudent to do so. I think that the participants will want to take into account all the circumstances that obtain at the relevant time.

Sir James Molyneaux (Lagan Valley): Can the Secretary of State throw some light on the list in the second part of the schedule? Are all these parties with funny titles of western European origin? Some of us support the Westminster Foundation for Democracy in Eastern Europe, but I had no idea that we had been quite so successful.

Sir Patrick Mayhew: I do not know whether the right hon. Gentleman will discover that he has wrought better than he knew, but the organisations that appear in the second part of schedule 1 constitute, for the purposes of the Bill, the parties that will participate in the election.

The agenda for the negotiations will be open, with no outcome either predetermined or excluded in advance. A meaningful and inclusive process of negotiation must be genuinely offered to address the legitimate concerns of all traditions and the need for new political arrangements with which all can identify. That language is taken from the communiqué of 28 February, and we hold to it.

The two Prime Ministers described that as a confidence-building measure, but two other confidence measures were also said to be necessary, and they bear importantly on the process of the negotiations. The Command Paper sets them out, stating:

"all participants would need to make clear at the beginning of the discussions their total and absolute commitment to the principles of democracy and non-violence set out in the report of the International Body. They would also need to address, at that stage, its proposals on decommissioning."

Mr. Robert McCartney (North Down): One of the confidence-building measures that are required is that the parties address the principles of the Mitchell commission. What exactly does that mean? It clearly does not mean that they must decommission; it does not imply any executive action on their part. "Addressing" may merely be nodding. Could it be that certain parties could progress through the negotiations having addressed the principles for decommissioning on several occasions, but never having addressed them right to the end?

Sir Patrick Mayhew: Gently and in the interests of accuracy I shall correct the hon. and learned Gentleman's nomenclature. There are principles and proposals in the Mitchell report. The principles are those of democracy and non-violence: I think that they are in paragraph 20. Thereafter, there are proposals for decommissioning: they are in paragraph 34, and, I think, in paragraphs 39 to 45.

It will be necessary in relation to the latter, because I think that the hon. and learned Member's question centres on the proposals, for consultation to establish a means by which they are addressed. That can be done in more than one way, but it should be noted that both Governments stand four square on the ground rules in paragraph 12, which I have just read to the House, of the communiqué of 28 February.

Thereafter, those principles must be addressed. "Thereafter" does not mean that that will be done other than at the beginning of the negotiating process. We shall have to secure greater clarity about the way in which that will be implemented, and it is important that the consultation should take place, and should take place soon.

Mr. Kevin McNamara (Kingston upon Hull, North): The Minister spoke about the principles being addressed. Are those to form the first item on the agenda, and must they be overcome, or will they be addressed throughout the negotiations? I am confused by what the Minister said.

Sir Patrick Mayhew: Once again, I draw the distinction between the principles and the proposals. The principles are those of democracy and non-violence, and the proposals are about decommissioning. In the words of the communiqué and of the ground rules paper, the decommissioning proposals have to be addressed at the beginning of the negotiations along with the signing up to the principles that I have identified.

[Sir Patrick Mayhew]

How that is to be done is a matter for further consultation, and it will ultimately be a matter for agreement between the participants. In the light of the language that was agreed by the two Governments, it would not be sensible for me at this juncture to attempt to be more precise than that. It is a matter for consultation, which needs to take place soon. I have read to the House the passage from paragraph 12 of the communiqué.

Mr. Ken Maginnis (Fermanagh and South Tyrone): I am sorry to interrupt the Secretary of State again. He alluded to the section in Cmnd. 3232 which mentions participants in the election making an absolute commitment to the principles of democracy and non-violence. Does he not recognise that those have long been a requirement of people who are involved in local government in Northern Ireland, and that that commitment has not been worth the time that it has taken to sign the piece of paper?

Does the Secretary of State recall an incident that affected me, in which a Sinn Fein councillor on Dungannon district council, Martin McCaughey, was conspiring to murder those of us who sat in the council chamber with him? Martin McCaughey was ultimately killed by the security forces as he was about to commit a murder. Is it not time that there was something tangible in terms of these commitments? If that cannot be found, we may finish up with a procedure that is a mockery of democracy.

Sir Patrick Mayhew: I recognise the hon. Gentleman's experience in the forum that he describes and in many other forums, including the military one in Northern Ireland. I pay tribute to him for that. As he says, those who wish to participate in local government have to make a declaration. The principles of democracy and non-violence, which are set out in the Mitchell report and which I shall, if the House permits, read out in a minute in their totality, go much further than that. They must have some significance in addition to what the hon. Gentleman describes, because Sinn Fein has carefully and resolutely refused to sign up to them since Mitchell was published. The Government immediately signified their acceptance of those principles, but Sinn Fein did not, because it found that it would be considerably inconvenient to do so. It should do so at once.

It follows from what the Governments have set out in the passage that I have just read that any participant who refused to sign up in that sense to each of the six Mitchell principles would forfeit the right to continue in negotiations with the Governments, and, in our view, with the democratic political parties.

I think that I am justified in reminding the House of the total and absolute commitments that the joint communiqué requires. They are: to democratic and exclusively peaceful means of resolving political issues; to the total disarmament of all paramilitary organisations; to agreement that such disarmament must be verifiable to the satisfaction of an independent commission; to the renunciation for themselves, and the opposition of any effort by others, to use force, or threaten to use force, to influence the course or the outcome of all-party negotiations; to agree to abide by the terms of any agreement reached in all-party negotiations, and to resort to democratic and exclusively peaceful methods in trying to alter any aspect of that outcome with which they disagree; and to urging that "punishment" killings and beatings stop, and taking effective steps to prevent such actions.

Those are the Mitchell principles, which go much further than what is required of those in local government. Much significance can be attached to Sinn Fein's refusal to accept them although they are fundamental—as Mitchell says—to any democratic society.

As the Prime Minister has said, Mitchell's proposals on decommissioning cannot be ducked or left to the end of negotiations. The communiqué stated that these must be addressed also at the beginning of the discussions. As the Prime Minister said in this House:

> "The question of decommissioning must be addressed at the beginning and progress must be made. There must be parallel decommissioning, as the Mitchell principle sets out. As the talks proceed, the decommissioning must proceed in parallel with the talks. The precise manner of that is a matter to be determined at the beginning of the talks."—[*Official Report*, 21 March 1996; Vol. 274, c. 505.]

How that shall be done must be a matter for further discussions with the participants.

I come now to the detail of the Bill. Clause 1 provides for the holding of an election to provide a pool of delegates. The detailed provision on the election is set out in schedule 1, which will be supplemented by an order to be made under it. The order will be subject to approval in draft after debate in this House and another place, and we envisage it being taken, if the present Bill is approved, in the week beginning 29 April.

Five delegates will be elected from each of the 18 parliamentary constituencies by a list system, and a further 20 for Northern Ireland as a whole. As a necessary corollary of the constituency list system, the second part of schedule 1 sets out those who may participate. The list has been drawn up following a consultation exercise. We have taken account of the representations made to us, and have sought to achieve as inclusive a system as is practicable.

It has not been possible to please everybody—indeed, it may not have been possible to please anybody, but that is the nature of the problem with which we are confronted. It is, in our view, the best way forward in what the Prime Minister has described as a unique situation.

Rev. Ian Paisley: Is it not strange that a party that might get 15 per cent., 20 per cent. or 30 per cent. of the vote will receive two representatives—the same number as a party that gets 1 per cent. of the vote? How can the Secretary of State describe that as democracy? The party that gets 1 per cent. of the vote might get no one elected to the forum, yet could get two people into the negotiations.

Sir Patrick Mayhew: I recognise the hon. Gentleman's point, and I admit that it is one of the sorenesses.

One of the interesting things about the consultation process was the wide degree of agreement that the smaller parties should find a means by which their voices could be heard in the negotiations. That was widely accepted. Of course, there was great divergence on how that should be achieved and, as my right hon. Friend the Prime Minister announced earlier, we decided that the best way to do it would be to allow representation on a Northern

Ireland-wide basis to the extent of two seats for those parties which are among the top 10 in the aggregate of votes cast for them. We felt that it would not have been right to allow that Northern Ireland-wide constituency basis to be limited to the smaller parties.

Mr. A. J. Beith (Berwick–upon–Tweed): I can save time by putting two points to the Secretary of State. If delegates are being elected in multi-member constituencies of five seats, it would have been better to allow preferential voting, because the single transferable vote system is familiar in the north and the south, and avoids the top-up mechanisms to which the hon. Member for North Antrim (Rev. Ian Paisley) has just referred. Does the Secretary of State recognise that it is important that there should be maximum participation in the elections, and that anything that can be done to maintain voter registration up to the time of the election is important?

Sir Patrick Mayhew: Voter registration is important, and we shall be circulating appropriate literature.

I appreciate the point that has been made, and it can be made cogently and strongly. We made it clear that we wanted an election system which commanded the widest possible support. We consulted, and it proved impossible to reach universal agreement on any system, including STV.

I will not take the House's time by going through who wanted what and their views, but in light of the views given to us, we devised the system in the Bill, which seeks to combine some of the virtues of each of the main alternatives put to us and to give the people of Northern Ireland the clearest possible choice in the polling booth. I cannot pretend to expect applause from any quarter, but I hope that it will be sufficient to secure that all parties take their place in the elections.

Mr. Harry Barnes (North–East Derbyshire) *rose—*

Sir Patrick Mayhew: I must get on.

Much has been said, quite understandably, about the complications involved. It is not complicated for the voter. The voter puts one cross against one party. The problems come for others after that.

Mr. Barnes *rose—*

Sir Patrick Mayhew: I really must get on, because I know what a bore it is when Front-Bench speakers take too long in opening a debate of this character.

When the election is called, the nominating representative of each party which wishes to stand will submit to the chief electoral officer a list of between two and five candidates for any or all of the constituencies of Northern Ireland, and can also submit a regional list of up to 10 candidates, at least two of whom would be names not on any constituency list. Regional seat allocation will help small parties which secure sufficient Province-wide support but which might fail to secure a seat in a constituency to have a chance to be represented. I am required by clause 5 to identify those nominating representatives, and I shall do that after consultation.

As I have already said, the voter's choice is simple. He or she casts a single vote for a single party. Lists of candidates will be on display, and ballot papers will show party names. It has been suggested that, where a large number of parties appear, there may be scope for confusion. There is force in that suggestion, but there are many competing interests that must be served.

A variety of methods are practised for apportioning seats in countries that regularly conduct elections by party list. None of them appears inherently superior to the others, and, after consultation, we have decided on the system set out in the schedule. It is well recognised, and, I am informed, has been employed in several European countries over the years.

I have already mentioned the aggregation process that will lead to the two additional delegates, and I need not repeat that.

We intend that the disqualification provision for candidates should be the minimum necessary. Only offenders in prison, people detained on account of mental illness and those not of voting age are disqualified by paragraph 17 of the first schedule. The franchise is the same as that for local government elections in Northern Ireland.

Mr. John D. Taylor (Strangford): If the election is to be based on parliamentary constituencies, why is the franchise not based on the parliamentary franchise?

Sir Patrick Mayhew: We thought it desirable to use a local register; that is what we are going to use.

Mr. Taylor: Why?

Sir Patrick Mayhew: Because a local representation seems a desirable thing. If the right hon. Gentleman wants to pursue that point, my right hon. Friend the Minister of State will deal with it more fully in the wind-up.

Rev. Ian Paisley *rose—*

Sir Patrick Mayhew: I have already given way twice to the hon. Gentleman, and survived. I am not going to push my luck.

Moving back to the body of the Bill: clause 2 provides for the selection, from among delegates returned, of teams to participate in the negotiations, the proposed ground rules for which are published in the Command Paper. The Bill defines the negotiations by reference to that paper. We want all parties that have shown that they have sufficient electoral support to be involved in the negotiations.

Nevertheless, as both we and the Irish Government have consistently made plain, whether Sinn Fein takes its place in the negotiations is for the republican movement to decide. So that the position is clear, the Bill provides that I shall refrain from inviting nominations from any party where I consider that the requirements in the Command Paper are not met. I shall exercise that discretion, as was stated in the proposals of 21 March, after consultation, as appropriate, with the Irish Government.

Clause 3 speaks for itself. As the Bill itself makes plain, the forum is a deliberative body; it is no sense a legislative or proto-legislative one. Its purpose will be the discussion of issues relevant to promoting dialogue and understanding within Northern Ireland.

Mr. Dennis Canavan (Falkirk, West): Will the Secretary of State give way?

Sir Patrick Mayhew: I have given way frequently—

Mr. Canavan: Not to me, you haven't.

Sir Patrick Mayhew: I cannot give way to everyone.

[Sir Patrick Mayhew]

The forum has no executive or administrative functions of any sort. Nor has it power to determine the conduct, course or outcome of the negotiations; but it may, by agreement among the participants in the negotiations as determined by their rules of procedures, consider matters referred to it by the negotiators.

Mr. Canavan *rose—*

Madam Speaker: Order. The Secretary of State has made it clear that he is not giving way.

Sir Patrick Mayhew: I am sorry; I have given way an awful lot, and now I must get on.

I believe that the forum has a most valuable role, neither threatening nor favouring any part of the community. It offers a new opportunity for people from differing political backgrounds to talk, and to listen to the views of others whom it may invite to address it, in order to promote dialogue and understanding. I believe that the forum offers real opportunities for constructive advance.

Mr. Canavan: Will the Secretary of State give way?

Sir Patrick Mayhew: I am sorry, but I have taken a long time over clause 3, so I hope that the hon. Gentleman will permit me to continue. Indeed, I have already been speaking for nearly 35 minutes.

Schedule 2 sets out a number of points about forum procedure. I shall not go through all the detail, but I should recall that the Government have already made clear their view that the forum should proceed by broad consensus. At the start, it will have a set of rules of procedure provided by me. The forum will then be empowered, as is right, to propose its own rules. They must be agreed by at least 75 per cent. of those participating in any vote, and they will then require my approval. The forum is also to elect its own chairman. For that too, a 75 per cent. majority will be required in any vote; until it has made its choice, the chairmanship falls to a member nominated by me.

Mr. McNamara: I am sorry to be so persistent, and I do appreciate the fact that the right hon. and learned Gentleman has given way generously, but he has just raised one of the most controversial areas at stake. I refer to moving away from the criteria in paragraph 24 of the Command Paper—about rules of procedure having to have the support of both communities—and towards a system based on a weighted majority.

Why have the Government departed from what was stipulated in the Command Paper? If, say, the official Unionist party abstained from the forum, its cause might be lost because a 75 per cent. majority could not be reached. We need representation of both communities.

Sir Patrick Mayhew: The written statement published after consultation made it clear that we believe that the forum should proceed on the basis of broad consensus. The hon. Gentleman will note in schedule 2 that, when a chairman or when rules of procedure are selected, a majority of 75 per cent. will be required. It will be for the participants to determine what they wish to propose, and for the Secretary of State to determine whether or not to approve the rules.

Clause 4 provides for referendums. Its provisions are broadly cast, sufficiently to permit consultation on any arrangements emerging from the negotiations. Any such proposals for a referendum would need to be approved by Parliament, and there is no encroachment on the provisions for a poll in section 1 of the Northern Ireland Constitution Act 1973.

After careful consideration, we have concluded that the case has not been made for a referendum to be held at the same time as elections. Clause 6 provides for payment of allowances to delegates for their participation in the negotiations or forum. Clause 7 gives one year as the life of the forum, but it may be continued in effect for a further year by order. It may also be suspended, and the Bill obliges me to provide for the forum to cease if negotiations are concluded or suspended—although it could be brought back into being if they subsequently resumed.

I regret the reasoned amendment. I know that the electoral system proposed in the Bill was not the first choice of any party, but, as my right hon. Friend the Prime Minister explained, none of the systems put forward by the different parties had the support of major parties representing each of the main communities. The Government have sought to consult on the detail of the scheme, and we are grateful to the various parties for their responses.

In Committee next week, we shall have more opportunity for detailed scrutiny. I accept that the electoral system is novel, but I reject that it will be confusing for the electorate. The voters will simply have to put a cross against the party of their choice—one vote for one party, which seems very simple.

I have spoken of the opportunities that the Bill opens up for the political parties in Northern Ireland, and of the challenges with which it provides them, but I have not yet spoken of one other sector in Northern Ireland—the people. So often in the past, the men and women of Northern Ireland have had no role in the political part of the peace process. Too often, they had simply to stand by and watch, while politicians and Governments talked behind closed doors. For them, the Bill provides the greatest opportunity and challenge.

The Bill, through the election process that it makes possible, changes that previous pattern. It gives the people of Northern Ireland a direct role in setting the negotiations in progress and providing the context and the mandate for them. Above all, that will give them a chance, by the strength of their votes for their chosen parties, to demonstrate the great yearning that exists on the ground to see talks taking place, understanding increased and an acceptable accommodation found. The Bill, for the first time, gives the people of Northern Ireland a voice in that talks process. I believe that they will not waste that chance.

4.32 pm

Ms Marjorie Mowlam (Redcar): I endorse the Prime Minister's comments earlier today about last night's bomb. There is no way that parties can bomb their way to the negotiating table—that lesson must be learnt. We all share the view that such actions will not stand in the way of the peace process.

The Opposition welcome the package of measures, including the Bill, that is designed to enable negotiations to proceed on 10 June. We are pleased that the Government have come to share our view that it would be unfair to expect the parties in Northern Ireland to make judgments about the Bill without knowing the other proposals on offer. I am pleased that the Secretary of State spent some time this afternoon explaining the Command Paper on the ground rules for negotiations, which covered many of the issues that we consider important—such as decommissioning.

We recognise and support the considerable determination that the Secretary of State has shown in trying to produce a broadly acceptable package. It is widely recognised that the right hon. and learned Gentleman's efforts have made a significant contribution to the search for some kind of agreement on the Bill. It was self-evident from the interventions made during the Secretary of State's speech that, as he indicated, it is impossible to please all the people all the time—but the Bill may be the best bet on offer in moving the peace process forward towards the negotiations on 10 June. That is why beginning negotiations on that date is so crucial, and why the elections are so important—I fully accept that they are not ideal—to ensure that the negotiations take place.

Given the opportunity, as we have already seen, many hon. Members would have chosen different routes to arrive at the current position. That fact is recognised in the amendment tabled by the official Unionist party—

Mr. John D. Taylor: Get the name right.

Ms Mowlam: I am sorry—the Ulster Unionist party. I apologise profusely to the right hon. Gentleman for making such a serious error.

The reality is that we are on the road to talks by the method that has been proposed, so it is common sense for us to go down that road. Many pitfalls remain, not the least of which is the danger that the parties will use the election to become entrenched in their positions and to undermine the spirit of compromise and accommodation on which rests the eventual success of the negotiations. That would be regrettable, and the people of Northern Ireland would not thank anyone if the parties took such a stance. We appeal to the parties to think of the future and to embrace this opportunity in the spirit in which it has been presented.

We have supported the Government on Northern Ireland—not only on this Bill—because their approach, as the Bill shows, is based on agreements with the Irish Government: the Downing street declaration and the joint framework document. Our established policy of unity by consent is one option in those documents, and it provides a firm basis on which to build a consensus for a balanced settlement that can command the support and allegiance of both communities. We would try to build that consensus, just as the British and Irish Governments are attempting to do.

There are many anxieties about the influence of the House's political arithmetic. In some senses, those fears are understandable because political arithmetic has so often affected the politics of the island of Ireland and we must do all that we can to stop it happening again. I do not share the view that promises have been made—as many people have suggested in the past 24 hours—but it would perhaps be helpful to the House if the Government and parties made it clear that no deals or pacts have been made.

Bipartisan support means putting peace above party interests, but it does not mean simple acquiesence to whatever the Government say or do. We have had our differences with the Government over the past 18 months. We would have made progress differently in different spheres. Our approach would have included protecting the basic rights of both traditions, a different strategy for training and economic development and having fair employment and fair treatment guarantees in the public and private sectors.

We have also argued for the transfer of prisoners to Ireland—north and south—to ease problems of family contact. In particular, we are aware of the continuing controversy over the case of Patrick Kelly. We know of no reason why he cannot be transferred immediately.

We have proposed changes to improve community identification, which we think could operate in parallel with the Bill. Those changes would be important in building cross-cultural communication and support between the communities. My hon. Friend the Member for Clydebank and Milngavie (Mr. Worthington) has put together a consultation paper on policing, but we have yet to see the Government's contribution to that debate.

Our concrete proposals have greatly helped the process forward and we shall continue that help with constructive yet critical support for the Bill.

Had we shouted some of the differences in approach a little more openly—from the roof-tops, so to speak—it would have signalled to the parties that it might be worth holding back or procrastinating and hoping for a change in Government, although I know that not all the parties would have reacted in such a manner. I believe that such a stance would have been irresponsible, dishonest and in some senses damaging to the peace process. In future, however, as the general election nears, it will obviously be necessary for us to make our views clear in public more often than before.

The proposals in the Bill, and the Command Paper to which it refers, are the product of a long and tortuous process. As the Secretary of State said, we have gone through the Downing street declaration, the joint framework document, the decommissioning issue, the twin-track approach and Senator Mitchell's report. We can go back to the communiqué of 28 February and see how we have arrived at the position that we are in today.

It is clear that at times the Opposition would not have chosen to proceed in precisely the same way as the Government have done, but we are acutely aware of the difficulties that we face. We are equally aware that the only game in town is one that seeks to bring about meaningful negotiations which have a hope of success and to bring a new future based on peace and justice for Northern Ireland, the island of Ireland and these islands as a whole. That is what we want to see and that is why we shall support the Bill today.

At times in this arduous process, the stress has been on bringing the parties in from the fringes; at other times, it has been on building up the centre ground in Northern Ireland. In a sense, the processes that the Bill sets in train will offer an opportunity to do both. However, if Sinn Fein wants to be in the talks to represent its community, the restoration of

[Ms Mowlam]

the IRA ceasefire of August 1994 is essential. The British and Irish Governments are clear on that, and they have our full support. There is no excuse. A meaningful, inclusive process of negotiations is being offered and a date for the talks to begin has now been set.

Mr. William Ross (East Londonderry): I thought I heard the hon. Lady say a moment ago that the Labour party would require the restoration of the ceasefire of August 1994. The Secretary of State said that he would require the Mitchell principles to be applied. Those are two very different things. Can we be assured that when the hon. Lady referred to the ceasefire of 1994 it was merely a slip of the tongue and that she will not allow Sinn Fein to come into the talks so long as it continues crucifying teenagers on wooden fences?

Ms Mowlam: I thank the hon. Gentleman for that question. My understanding of what the Secretary of State said this afternoon was that he would require a return to the ceasefire of August 1994. He went on to discuss in some detail the six principles and the proposals of the Mitchell commission. Let me make it clear that we agree with the ground rules for negotiations, which state clearly not only that there must be a return to the August 1994 ceasefire but that the Mitchell principles are an essential part of the process of participation in the negotiations of 10 June.

Mr. Robert McCartney: Much emphasis has been placed both by the hon. Lady and by the Secretary of State for Northern Ireland on a return to the ceasefire of August 1994, but that ceasefire was patently vulnerable and it failed. So without something much more solid than a failed ceasefire, there can be no prospect of success.

Ms Mowlam: Thank you very much. We have said clearly that the August 1994 ceasefire has to be reinstated and that the Mitchell six principles are an essential part of the development of the negotiations of 10 June. So it is clear that a process is being set in train of which the Mitchell six principles form part. I hope that that answers the hon. and learned Gentleman's question.

Rev. Ian Paisley: The six principles include decommissioning. Is the hon. Lady saying now that as well as accepting the six principles, the IRA must move immediately to decommissioning?

Ms Mowlam: I agree with the Secretary of State's analysis of the statement of August 1994 at the time of the ceasefire and of the Mitchell six principles as the procedure that we follow, as outlined in the ground rules. The statement said that decommissioning had to be addressed. Questions were put to him by hon. Members on both sides of the House who sought to find out the detail and when it would be addressed. He made it clear, and I agree that it is the only way in which we can move forward in any rational way, that the way to proceed was to get to 10 June, put the ground rules document on the table and see where the elected representatives of the Northern Ireland parties can move forward to.

Mr. Wilshire: Would the hon. Lady like to have a go at answering the question that I asked my right hon. and learned Friend the Secretary of State? If the ceasefire is reinstated, does it have to be clearly declared as permanent and for ever before it is accepted as real?

Ms Mowlam: Members of Parliament, the Government and the Opposition have tried with the Bill and the ground rules document to put in place a mechanism to give the process momentum. Having sat through numerous statements to the House by the Secretary of State and the Prime Minister, the hon. Gentleman knows the difficulties that we have faced in the past 18 months in keeping the peace together and putting momentum back into the peace process. We went through definitions of "permanent" and a host of options. In the August 1994 ceasefire statement, in the ground rules document and in the Mitchell six principles, we have a mechanism and a process by which it is possible to move forward in the negotiations. I have clarified to Unionist Members that it will be for the parties in Northern Ireland to find a mechanism to move forward in negotiations. We think that that is a constructive way forward.

The House could try to define terms and put other statements in place. I hope that we are all engaged, and I perceive that the Bill and the ground rules for the negotiations are engaged, in seeking to provide some parameters to allow the parties in Northern Ireland—at present only those which are constitutionally elected and committed to the democratic process as the way forward—to participate in trying to obtain a settlement with which everyone can live. The hon. Member for Spelthorne (Mr. Wilshire) can keep coming back at me, and I shall with pleasure allow him one more intervention, but it is patently obvious from the Secretary of State's response that the hon. Gentleman will not move the process forward by trying to force the Secretary of State, me or any Northern Ireland Member into a definition in the House this afternoon without the benefit of the consultation that the ground rules document will give us the chance to undertake.

Mr. Wilshire: That is the longest way I have ever heard of saying, "No, it does not have to be permanent." So we now know the score. Both the Government and the official Opposition say that another temporary, tactical truce is acceptable and that on that basis they will let Sinn Fein-IRA into the talks. Has it not occurred to the hon. Lady that the talks will not start on that basis?

Ms Mowlam: If the hon. Gentleman wants to interpret comments in a way in which they clearly were not meant, he can do as he wishes and is entitled to do. I give the hon. Gentleman exactly the answer that I gave to his last question. The August 1994 ceasefire statement and the ground rules document address the principles and proposals in the Mitchell report, which addresses many of the questions that are crucial to building the trust and confidence between the parties in Northern Ireland that is needed to move the talks process forward. That is advantageous.

Mr. John D. Taylor: When the hon. Lady says that she will address the principles and the proposals, does she mean that she would implement them?

Ms Mowlam: The word "address"—a verb that has caused great debate and discussion among all of us in the past few months—is included in the principles and the

proposals to enable the parties in Northern Ireland to find a mechanism by which "addressing" can take place. As the ground rules for the negotiations make clear, it has to take place at the beginning of the process. "Addressing" is a mechanism which permits the parties to consider these questions. That is what is stated. Those are the parameters that we hope will allow the elected representatives not to ask me the answer, but among themselves to find a mechanism with which they can all agree.

Mr. Clive Soley (Hammersmith): This is an important point, which has been pursued with both the Government and the Opposition. It may be appropriate to say why the two Governments agreed to the wording in the communiqué and why the Opposition agree that there should be an unequivocal restoration of the ceasefire. We did not go further forward with the wording precisely because both Governments and both major political parties in the House want negotiations to proceed. We know how to stop the negotiations: it is by putting ever more conditions on them, which would serve the interests only of those in Northern Ireland who want to continue the killing. We are opposed to the killing. That is why that wording was used. That is why the British Government and the Opposition are agreed and why I hope that they will not get trapped into additional factors which would bring chaos to Northern Ireland.

Ms Mowlam: I thank my hon. Friend for that helpful clarification. I have made the point about the August ceasefire clear and I hope—so that the hon. Member for Spelthorne will not misquote my words—that I have also said that any participants who refuse to sign up to the six principles set out in paragraph 20 of the Mitchell report would forfeit their rights to continue in negotiations. I hope that that clarifies that point.

Mr. Peter Robinson (Belfast, East): Will the hon. Lady give way?

Ms Mowlam: No, I will not take any more interventions. I have debated and discussed the point for some time, as did the Secretary of State, and I hope that that will allow us to move forward in the debate.

The process that the Bill will set up offers the opportunity for us to seek—*[Interruption.]* Are you very unhappy? Come on then.

Mr. Deputy Speaker (Mr. Michael Morris): Order. Before we proceed, I remind the House that all Members here are hon. Members. Perhaps pronouns could be left outside the Chamber.

Mr. Robinson: I am grateful to the hon. Lady for attempting to keep me happy. Is she aware that in the past few days it has been clearly shown in court that during the ceasefire the London bomber was preparing to cause devastation and death in this capital city? Is that the kind of ceasefire that the hon. Lady wants reinstated?

Ms Mowlam: We all condemn—and have done repeatedly—the murders of Inan Bashir and John Jefferies at Canary wharf and hope that the future will not see the deaths and injuries that we have seen in the past. A return to the August 1994 ceasefire would allow us to move forward—which is what I hope that everybody wants to do, rather than adding other preconditions to the process.

I wish to address a part of the legislation that the Opposition think is rather controversial, and we seek to amend it. In a speech in Coleraine last November, I said:

"It may be that some kind of electoral mechanism or index would help to bring all parties into the negotiations, but this must not lead to domination of the negotiations by one community nor be seen as a form of internal settlement."

At that time, like many others I was aware of the need to build trust and confidence to bring parties to the table, but the issue of decommissioning was becoming in some senses a logjam to moving the process forward. I was trying to identify an alternative approach.

I envisaged elections being a passport to the negotiations, and nothing more. The Bill, however, in clause 3 and schedule 2, would establish a forum with a deliberative function only and with no legislative, executive or administrative functions. The Opposition have urged that if a forum has to exist, its functions should be clearly subscribed in that way. That is to prevent any forum from becoming a blueprint or pilot for an assembly, which should come about only at the end of the negotiations if agreed as part of a balanced settlement dealing with the totality of relationships. It is also to prevent an elected forum from developing into an alternative negotiating arena.

We are puzzled, therefore, about why it is necessary for the body to have any decision-making powers. For pragmatic reasons, it may be necessary for decisions on the choice of the chair and the adoption of rules of procedure to occur on the basis of a vote. It appears to us, however, if we understand the remit and function of the forum correctly, that beyond those decisions the forum could proceed on a similar basis to the Forum for Peace and Reconciliation held in Dublin, in which issues were deliberated, understanding was increased, evidence was heard from outside groups and reports were published. Indeed, on 21 March the Prime Minister agreed with my hon. Friend the Member for Hammersmith (Mr. Soley) that

"the forum will be similar"—[*Official Report*, 21 March 1996; Vol. 274, c. 504.]

to that held in Dublin.

It was understood in the Dublin forum that if certain parties did not agree with the final reports, they would simply make their dissent clear by not signing them. Why must the forum in Northern Ireland operate on a different basis, unless its remit is not as we understand it from the Bill? We would welcome clarification from the Secretary of State on that point.

We would also welcome clarification of the process by which the list of parties in schedule 1 was arrived at. The Secretary of State mentioned earlier that parties were included on the list on the basis of complaints from parties that they were not on the initial list. Is there any mechanism for other parties to appeal so that they could be put on the list that is currently printed in schedule 1?

Also under schedule 1, the Secretary of State has the power to make provision by order in the event of an equality of quotients—a tie. Will he tell the House how he intends to make a judgment in that eventuality?

The Bill will give the Secretary of State many discretionary powers in relation to the process. We wish to learn, either later tonight or in the debate next week, how those powers will be exercised. Under schedule 2, there are proposals for the timing of the first meeting of

[Ms Mowlam]

the forum. We should be interested to ascertain how and when the Secretary of State will judge that the first meeting should take place.

The Secretary of State announced today that in his view there was insufficient support for a referendum to be held before or in parallel with the elections. It would be helpful if that position were clarified.

In clause 4, in relation to enactments, it is very unclear what the Secretary of State will be empowered to do. We would welcome clarification on that point and especially on its impact on decisions made in a referendum. Under clause 7, the Secretary of State has the power to restore the forum to life if it has been suspended. Will he assure the House that he would not exercise that power unless negotiations were also under way?

I know that the issue of the under-representation of women in political life in Northern Ireland is close to the hearts of many Members from Northern Ireland. Many of us would like to see greater participation by women. Does the Secretary of State have a view about how parties could be helped or encouraged to include more participation by women in the political process in Northern Ireland, in the list or by other mechanisms?

We also wish to learn how the Secretary of State intends to assist the parties and the public in Northern Ireland with the provision of information and other assistance in the course of the election campaigns. The Secretary of State stated in passing in the House this afternoon that literature would be provided. It would be useful if more information were given about how that process will work.

The issues that I have mentioned, and many others, are unclear from the Bill as it stands. We believe that the House would benefit from further clarification on those points. This is a deeply sensitive period in Northern Ireland. We are now operating against the volatile backdrop of parades and marches. We have proposed that the Secretary of State establish an independent commission to address that issue and to make recommendations to the Chief Constable to aid his decisions on the holding and routeing of marches. I am disappointed that as yet there has been no reaction to that suggestion as it is widely regarded as a sensible and practical step.

We have made it clear that we will support the Bill tonight. Elections in Northern Ireland are now a part of the process and the Government want and need to pass the legislation to make them possible. My right hon. Friend the Member for Sedgefield (Mr. Blair) has already made it clear that he will not stand in the way of the legislation.

Mr. McNamara: I wonder whether my hon. Friend is in a position to answer the question about the contradiction between paragraph 24 of Cmnd. 3232 and the provisions in schedule 2 to the Bill. Under paragraph 24, as the Minister said earlier in answer to questions, a clear majority is needed in both communities; but schedule 2 contains provisions for a weighted majority.

Ms Mowlam: I thank my hon. Friend for that intervention. I hope that I made it clear—it may have been missed in the general discussion earlier—that we are concerned that the forum should function as a deliberative body. I talked about how it would gather evidence and I explained in some detail how the mechanisms by which the forum could reach conclusions could be achieved. I hoped that I was making it self-evidently clear that I did not think that a voting mechanism was the way to achieve that. I stated that I thought that there might be a case for that in respect of rules and procedure, but as my hon. Friend suggested, paragraph 24 of the ground rules is in the spirit of what I would like to be the mechanism within the forum for discussion between parties. I hope that that answers his question. I made it clear that we would amend the Bill on that point because it is causing us great concern.

Mr. McNamara: I am grateful to my hon. Friend and I am sorry to pursue the point, but the Command Paper states:

"in all cases . . . any decision taken will be supported by a clear majority in both the unionist and nationalist communities in Northern Ireland."

Rules and procedure will determine the agenda. Are we going to support an amendment which embodies the principle contained in the White Paper for those rules and procedures?

Ms Mowlam: I hear what my hon. Friend says and I agree with his point. I do not think that we disagree on this. I said that we need to amend schedule 2 in the spirit of the ground rules document as he quoted it. I hope that in the days ahead we shall be able to consider that.

In conclusion, as I have tried to argue, we agree with the Bill in principle. There are many aspects on which we would like further debate and there are parts that we would like to amend. In the end, however, we welcome the fact that the Government published the Bill, along with the ground rules for negotiations, because that gives most hon. Members a chance to examine in detail what is on offer—what they are buying into. We hope that that will give us a chance to achieve the objective that we all share of starting inclusive, meaningful negotiations on 10 June. Those talks are only the beginning of the real goal of securing through negotiation a new settlement that is balanced and fair and has the support of both communities.

5.2 pm

Mr. Andrew Hunter (Basingstoke): It would be reasonable to argue that the appearance of this Bill should be regarded as a significant landmark in the process that started with the Downing street declaration, not least because the objective for more than three years has been the establishment of all-party negotiations with the opportunity that that provides for an agreement. One might therefore have expected the launch of the Bill to be accompanied by at least some rejoicing and a sense of achievement. I must confess, however, that that does not appear to have happened. Notwithstanding the tacit support of the hon. Member for Redcar (Ms Mowlam), I do not detect much, if any, enthusiasm for the Bill; nor do I detect much enthusiasm among some of those who are likely to take part in the negotiations to start their business.

It is perhaps not difficult to see why. Last night confirmed, on the assumption that it was indeed an IRA bomb, that the Provisionals are very far removed from being committed to exclusively peaceful methods and demonstrated that those who argued that the ceasefire was

a de facto ceasefire were wrong. Optimism about the final agreement is in short supply perhaps because areas of disagreement clearly outweigh areas of common ground. Nevertheless, it is right that the process should go on—and right that it should go on without Sinn Fein.

As for the Bill and the elective process forum for discussion that it establishes, I will be brief. During the debate on the merits of the various electoral systems, I argued for an 18-constituency single transferable vote election. That debate is over. It is widely acknowledged that the elective process that the Bill offers is not ideal, but, as we know, none of the favoured options was likely to have commanded widespread support and the Government therefore had no choice but to come forward with an alternative that could lead to meaningful multi-party talks. No one may much like the elective process proposed in the Bill, but it is equally hard to understand how anyone could so dislike it that they would totally reject it, not least because it is the only way on offer that can lead to the desirable objective of extensive negotiations.

The elective process in the Bill can be likened to that freak of nature and extraordinary creature, the duck-billed platypus. Like the platypus, it is a peculiar mixture. Its pedigree is complex, its existence a challenge, it has a strange appearance and some peculiar features. Nevertheless, like the platypus, I expect that it will prove extremely functional.

I believe that we can be satisfied that the Bill will effectively achieve its purpose. I have questions, but I am generally satisfied with the provisions for elections, with the prescription for drawing participants for the negotiations from the elected delegates and with the power given to the Secretary of State to hold a referendum.

I welcome the changes in the ground rules that have emerged since the consultation paper of 15 March. Paragraph 4 of that paper corresponds to paragraph 4 of the final draft. I was glad to note that the controversial reference to a

"new and more broadly based agreement"

which would develop and extend the Anglo-Irish Agreement has been omitted. Those words pre-empted debate, anticipated a conclusion and were therefore out of place.

Mr. Peter Robinson: Does the hon. Gentleman accept that the replacement of those words by a eulogy to the framework document is unacceptable, as the framework documents are not acceptable to the community in Northern Ireland?

Mr. Hunter: I find it acceptable because it was made clear at the launch of the framework documents and thereafter that they were not inclusive but a suggestion open to debate. Both Governments made it clear that alternative proposals were acceptable. I do not find the reference to the framework document objectionable.

Paragraph 7 of the final draft is also new. It clearly divides the negotiations from the forum. I appreciate that for some participants in the process that is an important point and I have no objection to it being made clear in the ground rules. I am not yet persuaded that those who regard the divide between forum and negotiations as less important can validly object to the divide being made in that way.

Paragraph 16 of the ground rules also appears for the first time in the revised draft. It demands:

"All participants in the negotiations will take part in good faith, seriously address all aspects of the agreed agenda, and make every effort to reach agreement."

I understand that the Irish Government were anxious that the ground rules should contain that demand and it is surely right and reasonable that it should be included. Above all, it makes nonsense of Sinn Fein's propaganda claim that the Government are not committed to the negotiations.

Greater participation by the political parties in each strand is the common theme to the additions to paragraphs 19, 20 and 21: in strand 1, through being consulted about liaison arrangements; in strand 2, through involvement in drawing up the procedural rules; in strand 3, through consultation, briefing and being able to put forward their views. I regard those alterations as healthy and acceptable. One cannot, however, ignore the related paragraphs 9, 13 and 14, and I share much of the concern that has been expressed by other hon. Members.

I continue to believe that paragraph 9, which deals with the participation of Sinn Fein, could cause difficulties. I listened carefully to my right hon. and learned Friend's comments, which were very reassuring. I hope that we will receive yet further reassurances during the winding-up speech. The day after a bomb has exploded in London, it may seem an academic exercise to express concern about the conditions under which Sinn Fein might be readmitted to negotiations, but there remains the possibility, however remote, that another ceasefire may be declared before 10 June.

We are aware that the ground rules impose as a condition to that readmittance the unequivocal restoration of the ceasefire of 31 August. I agree with the hon. and learned Member for North Down (Mr. McCartney) that that ceasefire was wholly deficient. It was neither complete nor permanent. We have had rehearsed to us many times the fact that during those months the IRA's structures remained in place and that it recruited, trained, targeted and raised money. It also researched and developed home-made weapons and its members threatened, intimidated, tortured and murdered. At face value, it appears that the ground rules suggest that those are the conditions to which the IRA must return, and which are therefore acceptable. That cannot be the case.

Another difficulty is that one can imagine that some participants in the process may be more willing than others to accept the genuineness of a second ceasefire. Then, the problem is who arbitrates in that dispute. That is why I think it is unfortunate that there is not less ambiguity and greater clarity in paragraphs 13 and 14. Yes, the Secretary of State reminded us of the confidence-building measures mentioned in the communiqué of 28 February, and again quoted in the ground rules, but again we come back to the ambiguity of the words "to address" and precisely what that means, as well as the ambiguity in the meaning of the words "in accordance". That uncertainty is disturbing.

If I understood the hon. Member for Redcar correctly, I find it hard to expect at least 10 political parties to come to an agreement on an issue on which two Governments have failed to find agreement.

[Mr. Hunter]

On 21 March, the Prime Minister's reply to the hon. and learned Member for North Down was unambiguous, because he said that there must be parallel decommissioning and that it

"must proceed in parallel with the talks."—[*Official Report*, 21 March 1996; Vol. 274, c. 505.]

I hope that that is the case, but I am yet to be convinced that that is the Irish Government's understanding of the ground rules. Nevertheless, I welcome and support the Bill, although I continue to have that major reservation about one aspect of the ground rules.

5.12 pm

Mr. David Trimble (Upper Bann): I beg to move, to leave out from "That" to the end of the Question, and to add instead thereof:

"this House declines to give a Second Reading to a Bill which unnecessarily introduces a wholly novel electoral system which is not properly thought out, contains unfairness and anomalies by introducing bogus political parties while omitting existing political parties and is complicated and designed to confuse the electorate."

The main provisions in the Bill are for elections and for a forum, in addition to referendums and negotiations. We welcome the provisions for elections. When I say we welcome them, I am referring, of course, to the genuine, authentic Ulster Unionist party, not the bogus Ulster unionist party that the Secretary of State has included in his Bill. The listing of bogus parties in the Bill is part of the reason why we have tabled the reasoned amendment.

The Government have moved, for the reasons that they have mentioned, to introduce an entirely novel electoral system. They had the choice of two systems on the statute book already, but they moved with great haste to introduce another one. List systems are not unusual—most of Europe votes by list systems—so there are list systems that could have been borrowed and used, but we do not even have a proper list system. I am not thinking in terms of the curious features of constituency lists and regional lists, although I shall refer to them again. The essence of a list system, in whatever variation it is adopted, is that it is a system of voting by reference to parties. If one is voting by reference to parties, one must have a clear legal basis for those parties and a form of regulation of the existence of parties and the use of party names. That is what happens in every other list system in the world where they are operated. There are procedures to regulate parties and the use of party names. That is foreign to British electoral law, which does not recognise the existence of parties. The Government have taken a novel step by moving in that direction; they have done so in a cack-handed and ineffective manner, which will cause difficulties.

It is all very well for the Secretary of State to say that it is simple for the elector to put an X against one name. We already have 30-plus names on the list, and that list may by no means be closed, so we will have the opportunity for confusion, particularly as some of the names used are not familiar even to me and my hon. Friends. They involve things that we have not heard of before. It may be that we have been inattentive and that things have come into existence without our appreciating them.

I was a little confused when I saw the name of the No Going Back group, and wondered whether it was the group with a similar name that exists in the Conservative party. Members of the Liberal Democrat party will appreciate, however, that there is a serious issue involved. If, in the European elections, a significant number of electors—some 10,000 in that case—cast their votes in a way that, in all probability, by far the greater number did not intend because of the similarity of names on a ballot paper that was comparatively short and where the name of the candidate was in clear, bold type and the party name in quite small type, will not the risk of confusion be greater if candidates' names do not appear, although I think that they should, and all we have is a long list of names of parties, many of which will be unfamiliar? That is the problem.

If we are to have a list system, either the Government should introduce a proper statutory scheme for the regulation of parties and the use of party names or, as they said they intended to do when they brought out their first paper, they should have a mechanism to regulate the parties by a statutory list. Having made that suggestion, however, they retreated from it and opened the door to a number of others. The proposed process should be looked at seriously. Because we consider it a matter of considerable importance, we have tabled a reasoned amendment calling for re-examination.

There are a number of possible solutions. I shall not go into all of them now, but the use of deposits could be one way of resolving the problem. When the issue came up originally, it was said that there would be no need for deposits on candidature because there would be statutory regulation of names and only genuine parties would take part. Now, however, independents, or a group of people, who decide to form a political party can put themselves up provided they can find two persons to stand in a particular constituency so as to get them on the constituency list. Those persons will then be entitled to the free postal delivery of election communications. The likelihood is that that will be a considerable temptation—not just to the 30-odd names on the list, but to others as well. It is to restrain people from exploiting the public service in that way that deposits are used in British electoral law. There is every reason to extend the use of deposits to the proposed elections.

Mr. Beith: May I put it to the hon. Gentleman that someone whose intention was to confuse would be ready to raise the money to do so and invent some variant on the Ulster Unionist party just as the variant Literal Democrat was invented by someone who soon found the money for the deposit?

Mr. Trimble: I take the right hon. Gentleman's point and I appreciate that my suggestion is not watertight. We need the procedures that exist in countries that use list systems whereby either only those who have statutorily registered names are used or people can challenge the misuse of a name. There would then be some form of judicial process whereby those matters could be resolved. That would be by far the better way to proceed, but time is short.

Mr. Maginnis: Is it not the case that, as there is a separate election in each constituency, under the right hon. Gentleman's proposal there would be a need for a deposit in each constituency? That would place a considerable burden, over 18 constituencies, on any individual wanting to pervert the course of the election by nominating two people under his name—an independent or whatever it may be—in each constituency.

Mr. Trimble: My hon. Friend's point is well made: these are the ways in which the deposit requirement could be made effective. It is important for us to look at that.

Mr. Peter Robinson: Perverting the election in one constituency could have an impact overall, and it is no more acceptable that someone who can raise a deposit for one of the 18 constituencies should get off in that way, as was the case with the Liberal Democrats. Would it not be better if there were a requirement to have a significant number of assentors to the nomination as well as a deposit? We put that proposal to the Northern Ireland Office.

Mr. Trimble: I thank the hon. Gentleman for that suggestion—it is a good idea. They are the sorts of things that should be done. We should be examining ideas of that nature, and the ones that I have mentioned, as a way of restraining the abuse of the system that has been adopted here. I hope that there will be an openness on the part of the Government, come Monday and Tuesday, to look at this seriously.

By putting forward our proposals, we are not trying to wreck the opportunity that exists for the people of Northern Ireland to express their views at the ballot box—we want elections and we want them to take place in a coherent manner and in a way that will reflect the wishes of the people.

Mr. Michael Connarty (Falkirk, East): I sympathise with the hon. Gentleman's concerns about the minutiae. Is he aware that, in January, some of us went to observe the elections in Palestine? In the city of Gaza, where I was stationed, the ballot paper contained 92 candidates and people had to make 12 choices. However, 94 per cent. of the people turned out and voted and chose, against many urgings of the large parties, a balanced assembly. Is it not better to focus on enthusing people for the process of democracy so that they choose wisely rather than get involved in the minutiae of one system or another?

Mr. Trimble: I am grateful to the hon. Gentleman for making that suggestion and for pointing out how successful the elections were in Palestine. He said that there were 92 names on the ballot paper. I hope that the Government Front Bench listened carefully to what he said. That example shows that it is possible to have a large number of names on a ballot paper, which would enable the provision that we have asked the Government to make—to put the names of candidates on the ballot paper. That would reduce the danger of confusion arising from misleading names. As we are dealing with constituency-based elections—where there will be only up to five names on the list of any one party—it would be possible to put the names of all the candidates standing in that constituency on the ballot paper.

Mr. Robert McCartney: I think the hon. Gentleman would agree that there is a world of difference between voting in Israel, where the list system and all its refinements has been a feature for some time—

Mr. Beith: The Palestinians had never voted before.

Mr. McCartney: I am speaking about the Israeli elections. As I understand it, they have had a list system.

I shall move on to another point raised by the hon. Gentleman—why there may be some smaller parties that have no political validity and are entirely new. There are some small parties, including my party, that have managed to get someone elected to the House. They are now faced with having to field not one, but two, candidates in every constituency in order to get a Province-wide vote. Is the hon. Gentleman suggesting that small parties should be penalised and perhaps excluded by reason of a deposit system in every constituency?

Mr. Trimble: I point out to the hon. and learned Gentleman that the example given earlier by the hon. Member for Falkirk, East (Mr. Connarty) referred to Palestine, not Israel. In Palestine, they do not have the same experience of using list systems as Israel. Israel is not a good advertisement for list systems because the way the system operates there has not been beneficial to the development of democracy or to the peace process.

The hon. and learned Gentleman referred to the problem for his party. I am happy to distinguish between his position and that of other small parties. My use of the term "bogus parties" was not by any means intended to refer to the hon. and learned Gentleman and his hon. Friends. I appreciate that if he wants to field candidates in all the constituencies, he will experience the difficulties that inevitably exist for smaller parties. I was once a member of a small party; and I am familiar with that experience.

We have to have a system that will do something to whittle out those groups that have no real support, particularly as one of the features of the list system—this is something that should be of interest to all hon. Members—is that it will shred the Unionist vote and shred the vote generally. This is exactly the feature that mars Israeli politics.

The single transferable vote system would have allowed people to express preferences and would have allowed votes to consolidate in a way that would have produced a much more coherent result. As the hon. Member for Basingstoke (Mr. Hunter) said, when and if we get to 10 June and find ourselves with 10-plus parties there, as well as two Governments, it will be much more difficult for the talks to move forward in a positive way, particularly when we bear in mind—as we do—the experience of 1992 when the efforts that we made at that time did not develop in a positive way.

I shall now consider some other areas in which we have reservations about this operation. The Command Paper entitled "Northern Ireland: Ground Rules for Substantive All-Party Negotiations" has been mentioned. I am sorry to see that the preamble contains statements that would mislead people who are ill informed and not familiar with the background. I refer to the phrase "following consultation".

The paper was originally produced with no consultation whatsoever and some small improvements have since been made. However, it still contains a scheme that we do not find acceptable. It is simply wrong to talk about this paper containing a broadly acceptable set of rules. It does not. It is largely a reproduction of the set of rules—in so far as there were rules—that operated in the 1992 inter-party talks and which largely contributed to the failure of the inter-party talks in 1992.

The Secretary of State may recall that the only times when we had any genuine progress in the 1992 talks was when we departed from the rules that are the basis of these rules. I think there lies a lesson that we want to do things

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better than we did in 1992. We do not want to exclude the consideration of issues. The paranoia that has been displayed by some nationalist politicians on this matter is quite wrong.

We are quite prepared to address the whole range of issues, but we want to do it in a more fruitful way than we did in 1992. This set of ground rules, by leaning so much on the experience of 1992, is likely to be an obstacle, particularly as we find commentators in Dublin stating that these are now immutable and unchangeable. The Secretary of State is shaking his head. I hope that this will be made clear during the debate; we are not dealing with an immutable set of rules, but something that is still open for development and consultation, because we wish to see it develop. We wish to see changes towards the more fruitful ideas that we have explored.

There is reference in the ground rules to the unequivocal restoration of the ceasefire of August 1994. I shall not repeat the points that have been made in this regard as they have so ably been made by other hon. Members, particularly the hon. Member for Basingstoke and by the hon. and learned Member for North Down (Mr. McCartney) in his intervention. The ceasefire of August 1994 was not a genuine ceasefire. We cannot be content with the restoration of that equivocal operation and the matter must move on to more secure ground as rapidly as possible.

We should focus our attention on paragraph 13 of the Command Paper, which is in fact a paragraph taken from the communiqué issued by the Prime Minister and the Irish Prime Minister on 28 February. It is that joint communiqué that we should regard as the basis on which to strengthen and make genuine the ceasefire. That is the basis on which we should proceed. The quotation, in paragraph 13, of the communiqué is followed by a couple of paragraphs of turbid Anglo-Irishese, which do not add to the paragraph's meaning and are best ignored. We are best concentrating on the communiqué itself. If we follow that course, matters become clear.

There has been much discussion about "address" and what it means, along with other matters of that nature. There was complete lack of clarity in that discussion. The starting point is the beginning of the communiqué, which states that "all participants"—I assume that "all participants" will individually have to indicate their position—

"would need to make clear at the beginning"—

that is unequivocal, because "at the beginning" means at the beginning, and that is the first item—

"their total and absolute commitment to the principles of democracy and non-violence."

In my view the key phrase is "total and absolute commitment". That is "total and absolute commitment" to the Mitchell principles, which include the principle of

"total disarmament of all paramilitary organisations"

and the renunciation of the use of force, as well as the ending of "'punishment' killings and beatings". That was the point made by my hon. Friend the Member for East Londonderry (Mr. Ross).

The Mitchell principles go far beyond the ceasefire of August 1994. It is the Mitchell principles that constitute the key. Similarly, total and absolute commitment to the principles is the key. There must be a procedure, and it must be sorted out well before 10 June. It is not sufficient, as the hon. Member for Redcar (Ms Mowlam) said, to leave matters until 10 June for the participants who then turn up. The result would be a shambles. We need, well before 10 June, to have a clear agreement on how a total and absolute commitment will be expressed. That must be done in clear and unequivocal manner.

Mr. Robert McCartney: Is the hon. Gentleman able to think of any good reason why, in relation to absolute commitment to the principle of democracy in Northern Ireland and the need to address at the same stage decommissioning proposals, the words "need to" should be replaced by "must"?

Mr. Trimble: Is there any difference? I am not sure that there is. The

"need to make clear . . . total and absolute commitment to the principles of democracy"

suggests "must". It has to happen. It has to happen in a clear and unequivocal way. To make a total commitment to the principles of non-violence, including the disbandment of all paramilitary organisations, means more than uttering a form of words or signing one's name on a declaration, as is done in local government. It means following that commitment through with actions. That is made clear by the sixth principle, of ending paramilitary killings and beatings. The principles are not merely stated, because they must be followed by action. Therefore, there must be agreement. That is the significance of "address". There must be agreement on how actions will take place.

We must not expect actions to take place instantly. We expect that they will proceed, as the Prime Minister said, alongside talks. However, one expects to see at the beginning, or as the communiqué states, "at that stage", clear commitments on the actions that will follow to demonstrate that there is in truth a total and absolute commitment. It is essential that, well before 10 June, there is a discussion between the constitutional parties and the two Governments on the exact procedures that we shall follow on 10 June so that we can be sure that there is a commitment, that it is given in a clear way and that we do not find things disappearing in a cloud of obfuscation and Anglo-Irishese.

There is certainly one matter that the Governments must address urgently. One of the Mitchell principles is the need for disbandment or decommissioning to take place to the satisfaction of an independent commission. As the Mitchell principles state, that commission must have a clear legal basis. If any decommissioning of weapons is taking place, those who are giving up weapons have to be given a degree of immunity from criminal prosecution for possession of the weapons that they are surrendering. That requires legislation. My colleagues and I have drawn attention to that over a long period.

I understand that the Government have prepared legislation. I would welcome a response when the Minister replies. I was given to believe that it was intended that such proposed legislation would be introduced at the same time as the Bill, and that the two measures would proceed through the House at roughly the same time. Such legislation has not yet appeared. I should like an explanation for the delay.

Similarly, I would welcome an indication of the position on equivalent Irish legislation. If anything, that is more important. If decommissioning is to take place,

the bulk of it will take place in the Republic of Ireland. That is where the bulk of the weapons and bombs are. We need to have legislation to enable the international commission to inspect and verify decommissioning and the limited and tightly circumscribed amnesty that will run alongside it.

My right hon. Friend the Member for Stratford (Mr. Taylor) and I raised these matters, along with my hon Friend the Member for Fermanagh and South Tyrone (Mr. Maginnis), with the Irish Government on 11 March—more than five weeks ago. We underlined the necessity for prompt action by the Irish Government. Since then, we have heard nothing. The Government should tell us this evening what success they have had in encouraging the Irish Government to bring forward the necessary legislation. That legislation must be in place before 10 June so that the commitments and undertakings that must be given on 10 June, along with undertakings relating to parallel decommissioning, are not frustrated.

I hope that there is no thought on the part of people in government that they might let Sinn Fein-IRA off the hook by not having the necessary legislation in place so that decommissioning cannot take place, even if that is what is wanted. I hope that there is no support lurking for that. It will be demonstrated that there is no support for that by bringing forward the necessary legislation as speedily as possible.

Mr. William Ross: My hon. Friend will be well aware that IRA-Sinn Fein say constantly that there must be forensic examination of any weapons that are ever surrendered. Will my hon. Friend dwell for a moment on the reasons for that? Is it that the IRA might be trying to hold back some weapons that have been identified? If it handed over some weapons, it could say, "That is all." If there were to be no forensic examination, there would be no means of identifying the weapons that had been used.

Mr. Trimble: My hon. Friend makes a good point. It will be interesting to hear what the Government have to say. There must be a limited amnesty when it comes to the possession of weapons that are decommissioned—it must be tightly limited. For the reasons that my hon. Friend has set out, we must be careful about conceding to absence of examination. The object of the exercise is to ensure that weapons held by paramilitary organisations are decommissioned and that there is total disarmament of those organisations. The purpose of the verification procedure is to ensure that we achieve that objective. In that context, forensic examination is something that we should bear in mind.

The issue of a forum has given rise to unnecessary controversy. It should not be regarded as controversial. Indeed, it should be understood as a key element that will, I hope, make a fruitful contribution to the process that lies ahead. It is necessary to have a body in which public debate can take place. There will not be confidence in the community in Northern Ireland in a process that operates solely behind closed doors, in secrecy. If confidence is to be built in the community, there has to be a public element, a degree of transparency, which public debate will give.

Furthermore, the public debate itself will be fruitful in terms of possibly changing the approach, or developing the approach, of the participants. The effect of engagement in debate on those who are there is not to be overlooked. That, presumably, is why we treasure this institution. Surely we believe that the debates that we have in the Chamber make a contribution to our own thoughts as well as to the public view. We should not, therefore, treat so dismissively having a similar debating opportunity in Northern Ireland.

It was never part of the intention of my hon. Friends and others who put forward this proposal—we are happy to acknowledge the contribution to the thinking that we have received from others such as the Alliance party and the Democratic Unionist party in this matter—that the body to be created would in some way control and determine the negotiations. I find it amazing that anyone should think that that would be the case. Exactly the same people will be in the forum and in the negotiations. Exactly the same parties will be there. The decisions that are taken by agreement in one will be replicated in the other. If there is agreement in the negotiations, I expect there to be similar agreements in the forum. How could it be otherwise if the same people are in both channels? If there is disagreement in one area, I expect the disagreement will be replicated elsewhere. I cannot envisage that the same people in two channels will instruct themselves in one area how to behave in the other. That is simply not a situation that we need worry about.

I hope that the negotiations will be fruitful. I also hope that the debate in the forum will be fruitful. The additional advantage of the forum is that it can take evidence from the public. It can involve the public in the process. That is something that I hope the public and interest groups in the community in Northern Ireland will do.

Dr. Norman A. Godman (Greenock and Port Glasgow): With regard to consulting the public, does the hon. Gentleman expect that the forum will be confined to one location or that it will be a roving commission going from community to community and holding meetings in those different communities?

Mr. Trimble: I very much hope that that option is available to it. Whether it is depends to a certain extent on whether the Secretary of State is prepared to make the resources available for that to happen. I hope that that will involve not just a matter of going within the community in Northern Ireland, but going outside Northern Ireland to take evidence from people elsewhere in the United Kingdom or even in the Republic of Ireland as well. That could be a beneficial exercise and one should not decry the opportunities that are there.

I am happy to see that some commentators in the Dublin press are beginning to appreciate that there may be merit in the operation of the forum. I am thinking of articles in the *Irish Independent* today by Dr. Maurice Hayes and in *The Irish Times* by Mary Holland, both of whom are beginning to appreciate that the forum can make a useful contribution. I hope that it will, and I hope that the process on which we are engaged will be moved forward in a positive way, but we must be realistic about it. In being realistic, we must acknowledge that what happened on 9 February and subsequently did happen and has an important bearing on the process.

I appreciate why some hon. Members focus so much on Sinn Fein, but the indisputable evidence is that there is not a commitment to peaceful means within Sinn Fein and the IRA. We have talked about the Mitchell principles. One of

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the Mitchell principles is to oppose any effort to use force to influence the course of negotiations. What on earth was the bomb of 9 February if it was not an attempt to use force to influence the course of negotiations? What on earth was the bomb in London last night, set off just before this debate, if it was not the use of force as an attempt to influence the course of negotiations?

Let us have no illusions about this. The opportunity is there for Sinn Fein-IRA if they are to have a road-to-Damascus conversion between now and 10 June. If they are to realise the error of their current ways, the opportunity is there, but let us be realistic about it. It would be false to build too many hopes on that. The likelihood is that, when 10 June comes, should Sinn Fein arrive at the talks, which it very well may not, the duty of most of us would probably be to remind it of the need to make this absolute and total commitment to the Mitchell proposals and to ensure that it is shown the door if that is not the case. It will be for Sinn Fein to decide whether it takes that road. The principles are there and it would be quite wrong for us to distort or change them.

There is also a positive opportunity here. During the past 18 months, the refusal of Sinn Fein-IRA to demonstrate good faith prevented any political progress. Their refusal to move on the issue meant that nothing happened. Now, in the future, should they continue to fail to demonstrate good faith, their refusal will affect only their own position. The process is there and can be carried on by the other parties.

Sir Patrick Mayhew *indicated assent.*

Mr. Trimble: I am glad to see the Secretary of State nodding in agreement with that. That opportunity is there for those who are committed to democracy and peaceful means. Those who are committed to democracy and peaceful means have an obligation to take this opportunity and to move forward even if it means leaving behind those small groups that are mired in terrorism. That is what we must look forward to in June; to carry forward the process in a way that will benefit the people of Northern Ireland—the 85 to 90 per cent. of the people of Northern Ireland who do not support the use of violence and who have enjoyed, yes, the absence or relative absence of violence during the last couple of years and who look forward to the creation of political institutions. That is what we must do. It is the duty of all those who believe in democracy to proceed in that way.

5.46 pm

Rev. Ian Paisley (North Antrim): It always amazes me how Members of the House who have never fought an election in Northern Ireland, who visit it only occasionally, know the mind of the people of Northern Ireland. It simply amazes me. If I stood up in the House and told the hon. Member for Redcar (Ms Mowlam) that I knew what her constituents were thinking, she would tell me to get lost, perhaps in stronger language that I would not use in the House. The people of Northern Ireland resent greatly that Members of the House can investigate their minds and their thinking and tell the House authoritatively what they are thinking.

The hon. Lady asked what would be the difference between this forum and the forum in Dublin. The difference is that this will be a democratic forum. People will go not because they were chosen by the Government, but because people made the choice for them to go. That is why. We are talking about democracy. We are not talking about rigged assemblies to obtain the kind of decision that the hon. Lady thinks should be made.

We are also told that the people of Northern Ireland are keen on certain things. The Secretary of State is very good at telling us that in Northern Ireland. We listen to him often and he seems also to get inside the brains of the Ulster people. I remind him that his party ran a candidate in the European Parliament election and he canvassed for her. I beat that candidate by 155,000 votes and she forfeited her deposit, so evidently he did have the mind of the people of Northern Ireland.

There are great differences in the Conservative party. Some members of the Conservative party do not want their candidates to run in this election. I was arguing with its chairman today the right of Conservative party members to run in this election. We welcome the fact, and we hope that they do run. Then I was told by him, "If they do run, they will never get to the negotiating table because we are doing the negotiations." So they will be discriminated against and not get to the negotiating table. So there is one party already outside the negotiations, and that is the Conservative party.

Mr. Wilshire: The hon. Gentleman urged us not to read too much into the minds of the people whom he understands better, but I ask him not to read too much into the comments of individual members of my party, because not necessarily does one person speak for everybody else, not even the chairman.

Rev. Ian Paisley: I am glad that the hon. Gentleman includes the chairman and the Secretary of State in that. I shall leave members of the Conservative party to have within their ranks their own debate about that. I welcome the fact that Conservative candidates can stand at the election, but regret that the Labour party, which seems to know about Northern Ireland, will not be fielding candidates.

Mr. Jeremy Corbyn (Islington, North): Does not the hon. Gentleman think that it is a rather unfortunate departure from traditional democratic principles when the Secretary of State can decide in advance of an election which parties are allowed to contest it?

Rev. Ian Paisley: If the hon. Gentleman looks at the amendments that my party has tabled, he will have the answer to that point. I hope that he votes for those amendments. The proof of the pudding is in the eating. All the parties in the House and all the parties that were called to the negotiating table made strong representations on various issues that we are not satisfied about. Someone asked how I know. I tested the people of Northern Ireland a little over 18 months ago on the Downing street declaration. I ran an election on it and topped the poll with more than 163,000 votes, so I know something about what people in Northern Ireland think on these issues.

The Bill exposes the Government's view that we must undermine the ordinary elective process and thus weaken real democracy in Northern Ireland. The way forward for Northern Ireland is real democracy. We must not weaken or dilute it, but we must support it and believe in it. I am

one who said that we should get as many as possible of the smaller parties to the table, but not by rigging an election. We should get them to the table, if they can make it, by the democratic process. We also put it to the Secretary of State that the number of people contesting the election could be limited simply by asking every candidate wishing to stand to produce at least 200 assentors. If every candidate could get 200 names, they would have at least a little chance.

I put that to one of the smaller parties, and it said: "Would we have to go out and canvass so many names? We couldn't do that. We couldn't get them." In that case, their candidates should not be standing. Look at what those parties will cost the Government, with their manifestos, all delivered free, the printing of ballot papers, and so on. The Government should pay attention to what was said and do something to ease the problem. That does not mean that I am against independents standing, but they should have to put down a deposit.

When the hon. and learned Member for North Down (Mr. McCartney) stands, he has to put down a deposit. If he goes into another constituency, he has to put down a deposit. There is no easy way in the election, and one must be prepared to lose the deposit. Some good men have lost their deposits in the past and eventually gained an ear in the House. That is the way of democracy, and we must stick to that.

We see in the Bill a rigging of the system. We also see a great conspiracy to weaken the forum when it is elected, and that is a tragedy. I regret what the hon. Member for Redcar said, because the forum will be a marvellous opportunity for the parties in Northern Ireland to express their views in the light of day, not behind closed doors. People could test in public, through debate, what their views were. I have never heard of some of the people on the list. I do not know who they are. I do not know what they are. In fact, they themselves hardly know. The parties just thought of a name and got it in just in time. Now they will be faced with the difficulty of finding two candidates for one constituency. It would be good if they could get together if elected and discuss those matters in public.

Why is the House against a forum that will have an opportunity to discuss in public matters that are important to the people of Northern Ireland? Why does the House want to cast away the opportunity that the forum could give? After all, the people at the negotiating table will be the leaders and representatives of the people in the forum, so there will not be such a great difference between what is said at the negotiating table and what is said in the forum.

If we do not have the forum, the election will be in vain, because we shall be allowed only three negotiators, and three people sitting behind, and that will apply to the small parties as well. Irrespective of whether someone gets 30 per cent. or 15 per cent. of the vote, they are reduced to the size of the smallest party. The only way to balance that democratically is to have the forum and to have it working properly. Why should it not work and vote? What is so wrong with voting? We do it all the time in this House.

Mr. Thomas McAvoy (Glasgow, Rutherglen): Does the hon. Gentleman accept that it would be far better to have a forum/assembly/Stormont that was the result of all-party agreement rather than impose one, when it quite clearly would not have the full confidence of the majority of people in Northern Ireland?

Rev. Ian Paisley: I shall correct the hon. Gentleman. We are not talking about a new Stormont or a new assembly, and neither was anyone who made this proposal. We all said that the forum would not have any legislative or administrative power. It would be the forum in which Ulster people could say what they wanted.

The Government have been meeting representatives of Sinn Fein and the IRA, and the so-called loyalist paramilitary groups, behind closed doors time and again. The ordinary people of Northern Ireland ask, "When are we going to have a say?" The only way in which they can have a say is through the forum. It is their negotiating body, reflecting their views. It is ridiculous for the hon. Gentleman to suggest that we would try to set up some new Stormont in this way. The forum will have no power whatever. We do not want it to have any power. We have made it perfectly clear to our people that they need not look upon themselves as Members of Parliament in embryo. They are nothing of the sort. They are just delegates to their negotiating forum.

Dr. Godman: Does the hon. Gentleman agree with the view voiced a few minutes ago by the hon. Member for Upper Bann (Mr. Trimble), the leader of the Ulster Unionist party, that the forum should be given the means to allow it to meet outwith Belfast, elsewhere in the United Kingdom, even in Dublin?

Rev. Ian Paisley: We have said that the forum can meet in any part of the United Kingdom. No doubt, if it wanted to go to Dublin, it would. I would not go with it, by the way, if it did. I think that it is in the ground rules that there is no restriction on where it can meet.

Mr. Peter Robinson: The Government supplied the political parties in Northern Ireland with a paper during the consultative process, in which they laid out clearly the role that such a forum would have, and proposed that it would be able to meet in various places and in various forms. I know of no party that has objected to that proposal.

Rev. Ian Paisley: Another proposal was that committees of the forum should sit like Select Committees of this House and investigate problems, which are bound to arise during negotiations. We have a problem at the moment, for example, in local government. Surely there should be a committee to examine local government in Northern Ireland.

We have many problems. The forum should continue with its work, and then feed the results to the negotiators. That, surely, would lead to consensus—the consensus that has already been achieved by committees. There is much work to be done. The main thrust of the policy of both the SDLP and the Dublin Government, however, has been that the forum is not really important. It is a case of telling people, "Stand for election and then go home; we do not want you, and we are sorry that we ever heard of you."

I resent the part of the Bill that refers carefully to making

"provision for elections in Northern Ireland for the purpose of providing delegates".

Why does it not say "for the purpose of electing a forum from which delegates shall be drawn to participate in the negotiations"? The Government want to put the forum

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down. The trouble is that people fear that there will be a Unionist majority on it—and there will. Most people who are sent to this House, under its own rules, are Unionists; those who do not like that will have to lump it. I once said to Mrs. Thatcher, "You have been elected by the people of the land. Millions hate you, but you are still the Prime Minister. You hate me, but I have been elected by the people, and I will speak for the people." It is not possible to do anything else.

What is wrong with the people of Ulster having their say in an election, and subsequently in debate? They have no powers. They cannot legislate; they can only give an opinion, having established that opinion through select committees. Moreover, there is to be a referendum, so that the result of all the discussions can be put to the people. If that result is not passed by the forum, it will never be passed by the people of Northern Ireland. That is the litmus test. If the result cannot get past the forum, we can forget about it.

If the House is foolish enough to say goodbye to the forum's opinion and call a referendum, and if the result of the discussions is overwhelmingly rejected, we shall find ourselves in an even worse position. Why is the House so adamant about de-horning the forum? It should be able to deliberate and vote. I am glad that it is to be allowed to appoint its own chairman; there was a big fight about that. I think that some Ministers thought that they should chair the forum, but subsequently realised that that was not on, and that we were entitled to choose our own chairman. It would be possible to have weighted majorities. The European Parliament has weighted majorities, and there is nothing undemocratic about that.

I am sorry that the Government wish to neuter the assembly. Clause 1 spells out the purpose of the elections: they are to provide

"delegates from among whom participants in negotiations may be drawn."

It does not, however, spell out the fact that the purpose of the elections is to provide the people of Northern Ireland with a genuine stake in a matter from which they have most to lose or gain.

Clause 2 deals with the first task that must be undertaken immediately after the elections. I note that the Government intend to invite negotiating teams to participate. Where will those teams come from? They will come from the forum—but the forum will not meet. That is the first thing that must happen: the forum must meet, and it must meet before 10 June. It cannot be muzzled; it must be heard, and it will be heard.

Unfortunately, the Government have already fixed the meeting place for the negotiations. They must do that, because they spend so much money on making rules—and on giving Gerry Adams a beautiful suite of offices with his name on the door. Dick Spring has an even bigger suite. He said that his table was not as big as the Secretary of State's, and that there must be equality. I was given a room, which I have never seen; so was my party, and so was the Ulster Unionist party. Stormont used to be anathema to the republicans, but that is no longer the case. There are those wonderful rooms, and the small parties that have told us that they will never give up their weapons—that they will never hand in one gun—are welcome. The leader's name is on the door, and they all sit there in state.

Let me remind the House that the loyalist paramilitaries take the same line as Sinn Fein: they refuse to decommission. I, for one, will not sit down with them until they abide by the Mitchell principles and start handing in the weapons that have committed murder, just like the weapons of Sinn Fein. If hon. Members think that Unionists can be bullied into sitting down with a bunch of gunmen, they had better be disillusioned immediately. We cannot negotiate with those who are killing people and brutalising Northern Ireland.

That is still happening today. I am amazed that the House does not realise what is happening in our Province. A young Roman Catholic boy, Martin Docherty, was actually crucified: spikes were put into his hands and feet, and he was left bleeding by the IRA. Then hon. Members ask me to sit down with the IRA's representatives, and to talk about peace. That cannot be done, and no self-respecting politician will do it.

That is why I have asked the Secretary of State how he will prove that IRA representatives are genuine. Even the deputy leader of the Ulster Unionist party said that he was convinced that the ceasefire was real: his gut had told him that. No doubt his stomach has now taught him another lesson—that the ceasefire was not real. The Secretary of State said that he "perceived" that it was real, and was making a working assumption. His working assumption was balderdash; it was not "working" at all. At the very time when he was saying that, churches were being burnt on both sides of the community. Orange halls were being burnt, and the police were being attacked: 590 petrol bombs were thrown at them. Some peace.

Beatings were also being carried out. The House should ensure that no representative sits at the negotiating table until those dreadful beatings have stopped. They are an outrage, but they are happening repeatedly, and not just one side is responsible. This year alone, the loyalists have already carried out 33 punishment beatings and the republicans 45—but they have a room at Stormont with their leader's name on it, and they are sitting negotiating with the Government. What sort of democracy is that? Since the ceasefire, the IRA has carried out more than 210 such attacks, while the loyalists have carried out 125. What about the Lurgan man, Mr. Maguire, who was attacked by the IRA on 12 April? Mr. Maguire, a grandfather, was covered in petrol and then set on fire. We can have nothing to do with people who do those things, or with their spokesmen.

The Secretary of State promised that he would first ask the leaders of all the parties to make a declaration—he was not entering into negotiations—that they were tied to the Mitchell principles, and would proceed to carry them out. The Mitchell programme is decommissioning: the arms must go. What has Martin McGuinness told us? He has said that no gun will ever be surrendered by the IRA, and Gerry Adams has said the same. The Protestant paramilitaries have also said that no guns will be surrendered.

What will the Government do on 10 June? Will they say, "Affirm where you stand," or will they invite everyone to come to the table? There seems to be a difference between what is in the joint communiqué and what the Government are saying. I hope that the worst fears of the Ulster people will not be realised and that the Government will be firm and say that no one can come to the negotiating table until he has signed up to and proved by his actions that he will abide by the principles of the

Mitchell report. Only on that basis can there be satisfaction. If there are guns on the table, under the table and outside the door, people cannot negotiate freely, because they will always be under threat.

I hope that we can amend the Bill and put right some matters that are entirely wrong. The Bill cannot ever be perfect, but at least it gives the people of Northern Ireland the opportunity to put a mark beside the names of those whom they want to represent them at the table. Some people think that we do not want talks or negotiations. Why should we not? The part of the community that I represent has suffered most. We have a strong case for saying that we must get these talks going and that they must succeed. We have the motivation to get them for our people, but they must be on a proper basis. I have gone to all the talks, even though other parties did not go. I was at the Atkins talks and I went to the assembly when the Ulster Unionists would not. I have tried to put my case.

Mr. John D. Taylor: The hon. Gentleman is wrong: it was the SDLP that boycotted it. We were present.

Rev. Ian Paisley: The right hon. Gentleman's party was out of the assembly twice. It went in and out like a yo-yo. The Ulster Unionists came to the assembly only because a Westminster election had been called. They knew that if they boycotted the assembly, they would not do well in the election.

Rev. Martin Smyth: On a point of order, Mr. Deputy Speaker. One of the assembly's remits was to prepare a report on how Northern Ireland should be governed. Because others were not prepared to do that work, we abstained until they became sensible.

Mr. Deputy Speaker: Order. The Chair is not adjudicating on any of this.

Rev. Ian Paisley: I do not propose to go into why they did not attend the assembly, but it had nothing to do with what the hon. Member for Belfast, South (Rev. Martin Smyth) has said.

Rev. Martin Smyth: Read the record.

Rev. Ian Paisley: I have read the record.

Mr. Deputy Speaker: Order. This has nothing to do with the Bill.

Rev. Ian Paisley: You took the point of order, Mr. Deputy Speaker, and it was not made by me.

If the basis of the negotiations is not right, the outcome will not be right. I plead with the House to let the people of Northern Ireland speak. Make the changes that need to be made in the Bill. I hope that the Government will not ramstam the Bill on a guillotine to get it through the House, but that there will be adequate time to discuss it. I emphasise that, and I am glad that the hon. Member for Upper Bann (Mr. Trimble), the leader of the Ulster Unionists, also made that point. We are not here to wreck the Bill. We want an election and it was my party that originally proposed one. But it must be on a basis that will lay a foundation not of sand but of rock, so that a solid outcome will result for all the people of Northern Ireland.

The hon. Member for Upper Bann spoke about the method of the election. I was told by the Secretary of State and the Prime Minister that if the parties could reach broad agreement about the method of the election, the Government would accept it. I thought that the Government wanted us to do that, so I went to my party's opposite, the SDLP. We had big differences, but we sat down and found that we could bridge the gap by having a list system. We went to all the smaller parties and they also agreed to that, but the Ulster Unionists and the Alliance party said no. We did our best to get broad agreement.

The leader of the Ulster Unionists eulogised the single transferable vote system. I hope that he will suggest STV for elections to this House, because that would enable Unionists to express themselves without splitting the vote and fracturing Unionism. Some seats in Northern Ireland are not fought by the DUP or the Ulster Unionists because if the Unionist vote was divided, the republicans would get the seats. If STV operated for elections to the House, the numbers would be different on both sides.

6.15 pm

Mr. Dennis Canavan (Falkirk, West): The legislation is totally unnecessary because it purports to pave the way for all-party negotiations. But such negotiations could and should have started a long time ago, and could have been based on earlier electoral mandates. I am not opposed in principle to elections in Northern Ireland or anywhere else—no democratic politician could oppose elections—but in this instance the Government are putting the cart before the horse by saying that elections should be the passport to all-party negotiations. Elections should be the outcome of all-party negotiations and should be based on a new constitutional framework that has been agreed at all-party negotiations.

The idea for elections did not come from the Mitchell commission. It was an Ulster Unionist idea, and it is therefore understandable that the nationalist community in Northern Ireland fears a resurrection of Stormont and a return to majority rule. The hon. Member for North Antrim (Rev. Ian Paisley) insisted that he never wanted the forum to have legislative or executive powers. He said that he wanted it to be simply a forum for all the people of Ulster. I am not sure about that, because I see no provision in the Bill for the inclusion of representatives from the people of Cavan, Monaghan or Donegal.

Clause 3(3) states:

"the forum shall not have any legislative, executive or administrative functions, or any power to determine the conduct, course or outcome of the negotiations mentioned in section 1."

That is fair enough, but perhaps the Minister can explain subsection (4):

"But if, in accordance with any rules of procedure adopted by them, the participants in the negotiations refer any matter to the forum, subsection (3) shall not be taken to prevent the forum from considering that matter."

I hope that, when the Minister replies or in Committee, we shall get a satisfactory explanation of that point. If the forum and the negotiating body are to be separate, we are entitled to a clear commitment that there will be no statutory link between the forum and the negotiations.

The Minister of State, Northern Ireland Office (Mr. Michael Ancram): Paragraph 7 of the ground rules papers permits that any reference or interaction with the forum

[Mr. Michael Ancram]

"to be convened following the elective process held to determine which parties will participate in the negotiations may take place solely by agreement among the negotiating teams to this effect and only at their formal instigation".

At the agreement of the negotiators, a reference can be made to the forum. It would be very wrong if there was a provision in the Bill that prevented the forum from considering that which had been referred to it by agreement following the negotiations under the ground rules.

Mr. Canavan: I understand the Minister's point, but there is a fear that in-built Unionist majorities in the negotiating body and in the forum could be almost tantamount to a Unionist veto if the negotiating body decided under the ground rules to refer something to the forum. We may return to that matter in Committee, but I am not satisfied at this stage with the Minister's response.

Mr. Robert McCartney: Can the hon. Gentleman confirm that he has not heard at any time from any pro-Union Member of Parliament in the run-up to this debate any suggestion that there should be a return to a Stormont form of majoritarianism, or any suggestion at any time that any such elected body should have any administrative or legislative powers? If that is the case, is there any foundation for any fear that there will be a return to a Stormont form of administration?

Mr. Canavan: The hon. and learned Gentleman should read in detail the *Hansard* report of the speech made by the hon. Member for North Antrim, whose position seemed to be that, as there is a Unionist majority, that majority should prevail. That is not my perception of democracy. It is a case not simply of the majority prevailing, but of the majority respecting the rights of minorities within the community. That is the only basis on which any democratic settlement can be reached in Northern Ireland.

Rev. Ian Paisley: I would like to make it clear to the hon. Gentleman that the negotiating bodies will not have a Unionist majority, because all parties will go into the negotiations with the same number of people. Unionists will be overwhelmingly in the minority at the negotiating table. That must be said clearly. We are entering into negotiations where the Unionists are in a permanent minority, and they should not be in that position.

I am sure that the hon. Gentleman agrees that, if the Labour party has a majority in this House, it should govern the country. Surely the majority in a democracy must have a special place, although that does not mean that the minority do not have rights.

Mr. Canavan: The hon. Gentleman may be anticipating the results of the elections, which brings me to my next point—the method of the elections. The hon. Gentleman and I might reach at least a partial agreement on this matter.

The Government claim that they consulted all parties, and concluded that they could not please everybody. They have now produced this hotch-potch scheme, and have ended up apparently pleasing nobody. This is probably the first time in UK history that such an electoral system has been tried—it is probably the first time in world history.

The Government are laying themselves open to accusations that they have shifted the goalposts, and not just with regard to the system of elections. For example, they are deciding what is a party, and putting down in statute what constitutes a party. I take the view that any party—however large or small—should be able to contest the elections, but the Government are saying what a party is in the schedule. In addition, the Government are giving the Secretary of State the power to decide who is the leader of that party. I can imagine the derision that would result if the Prime Minister were to be given powers to decide who the Leader of the Opposition was to be.

Mr. Ancram: He might choose the hon. Gentleman.

Mr. Canavan: Yes, it might be me.

Mr. Corbyn: Is my hon. Friend aware that, in all previous United Kingdom elections, the candidates have been people who happen to be members of parties, whereas it is now the parties that are contesting the elections—a fundamental change? Is he also aware that the Secretary of State is giving himself powers to exclude equally legitimate political organisations from contesting the elections? What we have here is the introduction into United Kingdom law of a kind of political censorship that has never existed before.

Mr. Canavan: My hon. Friend is perfectly correct. The Bill is in danger of bringing the United Kingdom's electoral system into disrepute.

About the only positive thing that I can see emerging from the Bill and the White Paper is the firm commitment—I hope it is a firm commitment—to start all-party negotiations on 10 June.

I would also like to refer to paragraph 24 of the White Paper, and the Minister may be able to respond to this point. It says:

"The negotiations will operate on the basis of consensus . . . (The rules for establishing sufficient consensus will be agreed in advance of negotiations by the participants and such rules will ensure that any departure from the rule of unanimity is within minimal limits and will, in all cases, ensure that any decision taken will be supported by a clear majority in both the unionist and nationalist communities in Northern Ireland.)"

How on earth will it be determined whether a decision is supported by "a clear majority" of the communities? We are entitled to some explanation of that point.

I hope that, despite the Bill, all the relevant parties will get together on 10 June. When I say relevant parties, I mean those parties which accept the six principles of the Mitchell report. Like other hon. Members, I hope that Sinn Fein is able to deliver an absolutely unequivocal ceasefire on the part of the IRA, because it would be a tragedy if the people who vote for Sinn Fein in the elections find themselves disfranchised and not represented at the negotiating table.

Once all the parties get round the table on that basis, I hope that there will be a new constitutional settlement put by way of a referendum not just to the people of Northern Ireland but, in accordance with what has been agreed by both Governments, to an all-Ireland test on both sides of the border. It would be helpful if both referendums were held on the same day.

I hope that what emerges is a new deal for the people of Northern Ireland, and that they can live in peace and harmony while respecting each other's differences in

terms of culture and religious beliefs and building meaningful and constructive relationships across the communities and across the border on an all-Ireland basis.

6.29 pm

Mr. David Wilshire (Spelthorne): Using elections to select negotiating teams has to be right. Permanent peace and justice for all in Northern Ireland will, I suspect, come only through democracy. If the hon. Member for North Antrim (Rev. Ian Paisley) will allow me, I will assert some views of the people of Northern Ireland. These views, I believe, have the wholehearted support of the overwhelming majority of those I meet in Northern Ireland, and, if I understand the messages coming from the political parties in Northern Ireland, they have the total support of all the major parties in the Province.

I am totally committed to an exclusively democratic approach to solving the difficulties in Northern Ireland, and it is because of that that I am an enthusiastic supporter of all efforts to press ahead with a real peace process. We must do all we possibly can to hold all-party talks as quickly as possible, for exactly the reasons given earlier by the hon. Member for Upper Bann (Mr. Trimble). It is also for those reasons that I am happy to back this attempt to hold elections. It follows that I am happy to vote for the Bill's Second Reading.

I must offer an apology to the Ulster Unionists on the Opposition Benches because I do not feel able to support their amendment. I believe that we need elections as quickly as possible, and that the best approach is to try to change the detail during the debates next week. There is one other reason why I consider it useful to explain why I will not support them. It does me no harm at all once in a while to take the opportunity of proving that I am my own man, and that I am not an unofficial member of either of the Unionist parties. So I will not be supporting the amendment.

Having said that, I caution the House against believing that the Bill, the elections or the proposed talks will guarantee the permanent peace we want, or justice for all. My reading of the past 18 months suggests that the Bill, the elections and the proposed talks will not achieve what we all want. My reservations about the entire process have been far too well recorded over recent months for me to need to repeat them now. Suffice it to say that my reservations remain, and were well and truly reinforced last night by yet another atrocity in London.

I note, rather surprisingly, that in Northern Ireland and the Republic there are some who are against elections in general and this scheme in particular. The people I have in mind are Sinn Fein-IRA, whose representatives regularly explain that they are against elections. I also have in mind a significant number of Irish Members of Parliament whom I meet in Dublin, who also explain that they are against these elections.

I find it extraordinary when I hear in Dublin that there is a body of opinion in the Republic which considers that "elections are not appropriate in Northern Ireland". All I can say is that such sentiments are deeply damaging and dangerous, and the people concerned should be ashamed of themselves for saying such things.

We are all familiar with Sinn Fein-IRA's regular denunciation of these elections. I can only assume that they are so opposed because they wish to prevent the world from being reminded of how few people vote for Sinn Fein in a secret ballot. They may also be anxious that the world should not be reminded that their power comes from the bullet and the bomb and not from the ballot box.

All I can ask of those who are against elections is: "What are you afraid of? Could it be that you are afraid of democracy? Could it be that you are afraid of the people of Northern Ireland?" I have always believed that the best and really the only test of a true commitment to democracy is one's ability and willingness to accept from the people a verdict with which one does not agree. That is the exact opposite of the message we are receiving from those who oppose the elections.

Although I wholeheartedly welcome the elections and the principles that underpin the Bill, I suspect that it will come as no surprise to my right hon. and learned Friend the Secretary of State that I am yet another person with reservations about the detail. I hasten to reassure my hon. Friends from the Whips Office that none of my reservations will bring me remotely close to wanting to oppose the Bill. However, some of my reservations will lead to amendments, and I will probably want to divide the House on Monday or Tuesday next week.

I have two major reservations: the electoral system that is proposed in the Bill and the use of a Command Paper to avoid putting the detail of the negotiations and the process into the Bill. I had hoped that the parties in Northern Ireland would have agreed on the way forward for the electoral system. That would have meant that I would simply have had to support them. I suppose, on reflection, that that was rather too much to hope. Therefore, I have to decide for myself on the best way forward.

I am nervous about extending the precedent of using proportional representation in United Kingdom elections, although I probably concede that we have to on this occasion. I am not persuaded that using individual constituencies is the best approach. I am opposed to any scheme that adds in the unelectable as an afterthought just to make up the numbers.

I sense that all those reservations could have been overcome if we had used a single constituency, because, above all else, that would avoid having to give seats to losers—people who could not get themselves elected by the people of Northern Ireland.

Using a Command Paper to spell out the detail is very worrying. It means that the detail in the paper is not really debatable, and it is certainly not amendable. If anything is undemocratic, I believe that it is that process. That is why I have it in mind to table amendments that will bring into the Bill the detail that is in the Command Paper. We can then have a full debate on the detail, and seek to amend it if we wish to do so.

Happily for hon. Members present today, there is only time for me to mention my four main concerns about the Command Paper. However, I do not want my right hon. and learned Friend and others on the Front Bench to think that I do not have more than four. Monday and Tuesday next week will be the time for that.

Paragraph 4 contains a significant change from the draft, because it now refers to the framework documents. My visits to Northern Ireland leave me in no doubt that the framework documents are totally unacceptable to the majority of those I meet in Northern Ireland. They are seen to this day as a green agenda and a sell-out to Dublin,

[Mr. David Wilshire]

making a united Ireland unavoidable. The tragedy is that most people on the mainland have long since lost sight of them and believe that they have gone away. To bring them back in this fashion risks ruining any prospect of talks before they even start.

Therefore, I hope that my right hon. Friend the Minister of State will confirm that a clean sheet of paper will start the agenda for the talks, that the only things that will get on to the agenda will be there with the consent of the parties, and that the framework documents will not be pushed on to the agenda because it is what the two Governments want.

Paragraph 9 of the Command Paper refers to the restoration of the Sinn Fein-IRA ceasefire. For the avoidance of doubt, let me repeat what I said in my interventions—that reinstating the previous temporary truce is simply not enough. I asked my right hon. and learned Friend and the Opposition spokesman whether any new ceasefire would have to be permanent. I am willing to give way to them if I misunderstood what I heard, but I noted that neither was prepared to insist that all participants renounce for ever the use of violence if they do not get their own way.

Sir Patrick Mayhew: I hope that my hon. Friend will not overlook the fact that I have made it clear that, at the very beginning of the negotiations, once a ceasefire has been restored in the terms of August 1994, it will be necessary for Sinn Fein and all other parties to give an absolute commitment to each and every one of the Mitchell commission's principles on democracy and non-violence. Those principles were dwelt on at great length and to great effect by the hon. Member for Upper Bann (Mr. Trimble). I therefore hope that my hon. Friend will not overlook the true effect of that.

Mr. Wilshire: I note what my right hon. and learned Friend says. I think that the record will show that my interpretation was correct. What I have just heard again suggests that the Government will consider allowing into the start of the talks a party that has restored only a temporary truce; only then will there be discussions as to permanence. That confirms my point. The participants will not first be required to renounce violence for ever.

Mr. Robert McCartney: Does the hon. Gentleman appreciate that neither the Secretary of State nor the Opposition spokesman will use the dreaded word "permanent", because they are both well aware that if they use the word there will be no prospect of getting Sinn Fein into the democratic loop of discussions? It may not be wanted, but it will certainly never come in if it is required to give an assurance that it will never return to violence, because violence—in the absence of a real mandate—is the only card it holds.

Mr. Wilshire: I wholeheartedly agree with the hon. and learned Gentleman. Unfortunately, far too few people understand that fundamental point. That is why I chose to remind the House of the importance of permanence.

I have never had any doubt—if anyone else has, he should look at the evidence—that Sinn Fein-IRA have, to this day, only one objective. They will use discussion if they believe that that will help them, but if they think that it will not help them, they remain committed to bombing and shooting into submission anyone foolish enough or weak enough to believe that it is possible to humour evil terrorists. That is the message on which the hon. and learned Gentleman and I wholeheartedly agree.

Paragraph 17 refers to the six Mitchell principles, but it stops short of insisting that all participants sign up to all six principles, without exception. It also stops short of insisting that they sign up to them before anything else happens. I am not reassured by the word "addressing". It would be perfectly possible to arrive at the negotiating table every day of the discussions, to say "good morning" to the document containing the principles, and then to carry on. It simply will not do.

I know that some will say that I am attempting to introduce preconditions, but that is a sterile debating point. The fact is that, without a permanent ceasefire and without complete acceptance of the Mitchell principles, there will not be all-party talks. Some will say that I am demanding that Sinn Fein-IRA, or the Protestant paramilitaries for that matter, make a concession. I am not ashamed of that; for the past 18 months, the Government and this House have given concession after concession to the men of violence, and they have yet to concede a single thing. So I am not worried by the accusation that I may be asking for a concession: it is about time there was one.

Rev. Ian Paisley: I think the hon. Gentleman will agree that the joint communiqué from both Prime Ministers spelled out clearly that there must be more than just an "addressing" of the Mitchell report. It said that the parties were to sign up to the Mitchell report, and deal with decommissioning as well. I agree with the hon. Gentleman that there is a tendency to weaken those requirements in the new structures set forth by the Government.

Mr. Wilshire: That has certainly been my understanding of what has been said time and again, which is why I am deeply suspicious of what I read in the Command Paper. I see no such requirements set out there. I have long since learnt that such omissions are not due to sloppy draftsmanship. I must therefore ask myself why the requirement has been omitted. Hence the need to amend the Bill.

My fourth basic worry arises from paragraph 10, which refers to the validation of any all-party talks by means of a referendum. In rather strange language, this paragraph mentions

"referendums in Ireland—North and South",

not in Northern Ireland and the Republic. Until that is changed, I shall remain deeply suspicious of what is intended. I have been involved long enough to know that every word and phrase in every Northern Ireland document is there for a purpose. I should be most interested to hear my right hon. and learned Friend explain this phrase.

Another worry about paragraph 10 is that it does not commit either Government to accepting the verdict of the people. The Bill and the document merely make provision to ask the people for their views. Nowhere that I can see do they confirm that the assent of the majority of the people of Northern Ireland will be binding. That must be put right on Monday and Tuesday of next week.

I have, as I said, a number of other reservations too, but they are best left to our detailed discussion on Monday. Both the Bill and the Command Paper need serious clarification next week if they are to be acceptable to us. Much of the detail in the Command Paper must find its way into the Bill itself. I therefore urge the Government to look hard at ways of doing that over the coming weekend.

I also believe that the electoral process proposed is far from ideal, but I am resigned to the fact that we are too far down the road to reverse now. Despite all these reservations, I still believe that democracy offers the only real hope for the future of Northern Ireland. The elections are the essence of the democracy that we want for Northern Ireland, and in that spirit I will be voting for the Bill tonight. I look forward to helping to improve it next week.

6.49 pm

Mr. Eddie McGrady (South Down): I apologise to the House and to the Secretary of State for the absence of my colleagues and myself during the opening moments of the right hon. and learned Gentleman's address, but our deputy leader was taken ill. He apologises for not being in the Chamber this afternoon. In that regard, I understand that the hon. Member for Vauxhall (Miss Hoey) made a critical comment about our absence, but I am sure that she would not have done so if she had been aware of the circumstances.

I speak about the Bill as the representative of the party to which the majority of nationalists living in Northern Ireland give their support and as the representative of a community whose consent to the structures in place over them historically was never asked, earned or given. My colleagues and I have spent a political lifetime combating the violence that flowed from that political failure, due in large measure to the mistakes made over the years around the British Cabinet table and in the House. Our electors have learnt from their particular bitter experience to approach the prospect of legislation by Westminster not with hope but with trepidation.

For more than a year and a half since August 1994 we had an opportunity to approach the negotiation table free from the immediate shadow of violence. The Prime Minister will remember from his reception in the town of Downpatrick in my constituency how much he was then seen as the bearer of hope. Sadly, that hope has dissipated and confidence has gone. I cannot pretend to disentangle the motives that produced so much energy to put the brake on the political momentum that could and should have come from the peace era, but there was a manifest need to build on that momentum and underpin the ceasefires through immediate unconditional negotiations and agreement. I can understand that a Unionist leadership might want to exploit the tactical advantage, but it is their nationalist neighbours, not them, whose aspirations have been denied expression. I understand that the Unionists might be tempted to follow their inherited instinct that the consent of their nationalist neighbours does not matter much. They have successfully shifted the focus of what might feature in the negotiations to whether there should be negotiations at all.

Two parties out of the total number have refused to negotiate, and those two parties are represented in the Chamber this evening. There will be an election involving 33 parties because the British Government were drawn or, for all I know, entered willingly into a Unionist-led agenda. The nationalist community took the message about the Government's priorities and, tragically, the devaluation of the ceasefire became a self-fulfilling prophecy.

In striking that note, I do not want to detract from the great importance of the setting of 10 June as a fixed date for all-party talks. I want only to stress how costly has been the delay, and that the wariness and misgivings felt in my community are justified by experience, including our recent experiences. I want to stress also that the preliminaries put between us and that date in the form of the Bill make the task of negotiations more difficult and uncertain than it need have been.

The predictability of Northern Ireland's election results is proverbial. All the serious parties already have mandates. We have had 21 elections in the past 20 years, and we know that elections are deeply polarising in our community and always have been. They are about victory and defeat. An election is fought, but negotiations are about common interests and striving for compromise. However, those two contradictory things have been grouped together in the proposals, only because the Unionists wanted the ritual comfort of confirmation that there is a Unionist majority and a nationalist minority in Northern Ireland, and because the British Government failed to assert leadership in the wider common interest.

As a result, the electors are faced with an election that will distil and combine the worst features of the list and proportional representation cum constituency system. The electorate will have to choose from an array of more than 33 options in a list that reads as though it was concocted on 1 April. The Government's plans also ensure that about 70 people will be involved in each negotiating session. The mind boggles at that concept. Nevertheless, the Social Democratic and Labour party is well used to fighting and winning elections in the most difficult circumstances, and the ballot box has not and will not hold any fears for us. If the negotiations are to be truly meaningful, that unnecessary and exasperating detour may be a price worth paying—provided the negotiations seek a real and permanent solution.

More disturbing, and the part of the Bill about which I have the greatest reservations, are the provisions relating to the proposed forum. We have from the beginning made clear our strenuous opposition to the creation of an elected body within the negotiating process. Our fundamental concern is that no matter how innocuous a proposal might appear on paper, and no matter how circumscribed by legislation, we know historically that reality can be quite different. The history of such initiatives in Northern Ireland gives ample justification for our fears. Each time a consultative assembly has been set up in Northern Ireland, it has inevitably been used as a vehicle for Unionists to assert their dominance. Irrespective of the intention of British Ministers, Dr. Jekyll has the habit of becoming Mr. Hyde. Our anxiety is that a body with an in-built Unionist majority might seek to influence and control the negotiations, even if it is formally prevented from doing so. It could in those circumstances, and given certain events, poison the atmosphere through the adoption of declarations and resolutions, making progress in the real negotiations much more difficult. The negotiating process will be difficult enough without the forum acting as a rival political focus or a counterpoint to negotiation in the search for accommodation.

[Mr. Eddie McGrady]

Any hon. Members who think that I am exaggerating should consider previous speakers' comments on the forum. I am glad that the deputy leader of the Democratic Unionist party, the hon. Member for Belfast, East (Mr. Robinson), is in his place because I want to quote his comments broadcast by RTE yesterday. He said:

"we went over this on several occasions with Michael Ancram during the course of today. That does not stop the forum putting forward proposals which could be the same as those proposals being considered by the negotiators, and making a view known of those issues. And I'm saying that, from our party's point of view, we would not enter into any agreement, not finalise any agreement in the negotiations, which had not been endorsed by the forum"—

thereby giving the forum a life and existence that the Bill alleges it will not have.

That attitude has been expressed despite the fact that we anticipate that the outcome of the negotiations will be validated by the referendum. It seems to us that the intent of the two Unionist parties—it has been expressed not only in tonight's debate—is for the forum and not the negotiating table to be the ultimate endorsement of what happens in negotiations.

The Northern Ireland Office paper of 21 March sought to allay such fears, and we understand that was its purpose. The paper said that the forum's purpose would be to promote dialogue and mutual understanding and, most important, that it would be required to proceed on a basis of broad consensus.

The requirement for broad consensus was potentially of great significance. It offered some measure of protection against majoritarian exploitation of the forum. That protection has now entirely disappeared. Schedule 2 to the Bill simply states:

"The rules of procedure of the forum shall include provision for a quorum."

It contains no requirement whatever that the forum must operate on the basis of broad consensus. We believe that there is an urgent need to include a requirement for broad consensus, as specified in paragraph 24 of Cmnd. 3232.

Schedule 2 to the Bill also proposes:

"A decision on the election or removal of a chairman or the adoption or alteration of rules of procedure shall not be regarded as taken by the members unless—

(a) no member present has objected to it, or

(b) it is approved on a vote by at least 75 per cent. of those voting."

It requires a vote by not 75 per cent. of the membership but by 75 per cent. of those voting.

We were assured that the forum would not be a body with legislative, administrative or executive functions but that it would be a consultative and deliberative body charged with promoting dialogue and mutual understanding. Taking decisions on a majoritarian basis, even on a weighted basis, is surely entirely at variance with the spirit of dialogue and mutual understanding. In its procedures, the forum should practise what it is expected to preach.

What decisions will the forum take on which it should not have to operate on the basis of consensus? What dialogue and mutual understanding will be found by voting down even a quarter of the people engaged in that search for dialogue and understanding? If the negotiations—which will deal with much more difficult and decisive subjects—are to proceed on the basis of consensus, it is hard to understand why the forum should not operate on the same basis.

I almost hesitate to refer to the Dublin forum, which was a non-elected body. In that forum, as many as 13 very diverse delegations managed, with a little common sense and a bit of give and take, to conduct the business of a body that is very similar to the one that has been proposed. The Government recognise that, in certain contexts, consensus is efficient and a necessary element for progress. To prove the point, the White Paper on the European Union states that the Government

"does not accept that the unanimity provisions for CFSP are a constraint on its development."

So let it not be a constraint on the forum's development.

The fundamental error that the Government are making is to apply the logic of a decision-making body or assembly to a body or assembly that is of a quite different character, which will of course heighten concerns that their protestations about the body's nature and functions are not entirely sincere. The importation of majoritarian procedures into a body that is being operated in parallel with the negotiations creates a serious risk that the whole process could be infected or affected by those procedures.

In the interests of the negotiations and of the great goal of peace and agreement, which is the ultimate prize, members of the SDLP seek—despite the extent of our reservations about the elective process—to take a fair and positive view of the overall package that has been presented to us. Should the Bill be enacted unamended, it will be much harder for us to persuade a very suspicious nationalist community that a serious and meaningful process is on offer.

In their communiqué of 20 February, the Prime Minister and the Taoiseach agreed that

"an elective process would have to be broadly acceptable and lead immediately and without further preconditions to the convening of all-party talks".

No sooner had the proposal of an election been nailed on the agenda—in a form that cynically devalued any concept of broad acceptability of nationalist views—than we had forced on us the further stage of a proposed forum, which is unwelcome to everyone in the nationalist community and discards the commitment to "consensus" and "broad consensus" that had been flagged in two formal Government papers.

Even if this forum were not a precondition for negotiations—I should expect the Prime Minister, under the terms of the February communiqué, to confirm that it is not—the loss of the element of consensus will damage, perhaps fatally, the capacity of any nationalist leader in Northern Ireland to persuade the nationalist community to view negotiations in a positive light, or other than as a threat or advance instalment of a process aimed at directing the negotiations to a totally and exclusively internal solution. We shall table amendments at the appropriate stage on those key points, but I should like to tell the House now that its decision on this issue will have a very significant symbolic and practical impact on nationalist attitudes to the proposed forum.

On behalf of my party, I welcome the publication of the Bill because it marks a staging post on the route to 10 June. I do not welcome the Bill itself. The process it defines is

unnecessary, divisive and deeply flawed. I am confident that the Bill has the potential to cause major difficulties in the future that could prejudice and jeopardise the negotiations' progress. It remains to be seen whether the Government have led us into a long and unnecessary detour or into a quagmire. Nevertheless, despite their strange decision to proceed to negotiations by this twisted and possibly potholed route, we acknowledge that the journey has begun with the Bill's introduction.

A document that is perhaps of greater relevance to the real needs of the situation was published on Tuesday as "Ground Rules for Substantive All-Party Negotiations". It essentially defines the negotiations' scope, purpose and processes. It is vital that the two Governments, acting together, have a common view of the parameters of the negotiations. My party welcomes the fact that, following a period of consultation, the Governments have reached a definitive common judgment on the most suitable and broadly accepted ground rules.

It is reassuring that the ground rules paper is, in most respects, broadly unchanged from the consultation document that was circulated to the parties on 15 March last year. The purpose of negotiations will be to achieve a new beginning for negotiations in Northern Ireland, in the island of Ireland and between the peoples of these islands. The purpose will also be to agree new institutions and structures to take account of the totality of that relationship. I hope that the three-stranded structure agreed in May 1991, which reflects the equal weight and independent standing of those three relationships, remains in place. Likewise, the vital principle that nothing will be agreed in any strand until everything is agreed in the negotiations as a whole has been preserved. The central role played together by the two Governments in the overall management of the negotiation is also essential.

It is important, however, that paragraph 7 of the paper makes it explicit that the conduct of the negotiations will be exclusively a matter for those involved in them. Any reference to or interaction with the forum may take place solely with the agreement of the negotiating teams to this effect, and only at their formal instigation—and, we hope, on the basis of consensus, as stipulated in paragraph 24 of Cmnd. 3232. It is essential that this necessary separation is preserved and, if possible, strengthened. There can be no breach of the integrity of the ground rules as a package by seeking to process the negotiations through an internalist and majoritarian filter. [HON. MEMBERS: "Of course there can."]

It is also encouraging that the two Governments have included in the ground rules paper an explicit reference to the framework document. This serves to refocus us on the core issues to be resolved in the negotiations. For too long, quibbles over mechanics and technicalities have got in the way of discussions on the real issues. The framework document sets out the broad outline of a possible settlement that nationalists and Unionists could accept as their own.

The four guiding principles in the framework document must underpin any agreement and inform the search for that agreement. [HON. MEMBERS: "Another precondition."] Perhaps hon. Members will agree with them when they hear them. They are as follows: the principle of self-determination set out in the joint document; that the consent of the governed is an essential ingredient for stability in any political arrangement—as we have said often, acceptance by most nationalists of the principle of consent to any change in the status of Northern Ireland does not equate with the acceptance of the status of Northern Ireland itself—[HON. MEMBERS: "A good let-out."]; the necessity that agreement be pursued and established by exclusively democratic, peaceful means without resort to violence or coercion of any nature; and that the new political arrangements must be based on full respect for and protection of the expression of the rights and identities of both traditions in Ireland and evenhandedly afford both communities in Northern Ireland parity of esteem and treatment, including equality of opportunity and advantage. *[Interruption.]* I understand that those four principles are generally accepted by both Unionists and nationalists as a fair way forward, so I cannot understand the sedentary comments of disagreement from behind me.

Mr. Robert McCartney: Does the hon. Gentleman accept that people such as me endorse parity of esteem on an individual basis—that is, equality before the law, equality of opportunity and the affording of any civil right on an equal basis to every individual, no matter what his religion or political outlook? That form of parity of esteem is acknowledged in every democratic country, in some by means of a written constitution, but I know of no democratic process whereby the political rights of a minority to determine the political identity of a state—the parity of esteem that the hon. Gentleman claims—is an accepted principle.

Mr. McGrady: I thank the hon. and learned Gentleman for asking that question. The sum of the individual attitudes is the sum of the attitudes of the community as a whole. He referred to parity of esteem as in some way negating the rights of the majority. That is contrary to what I have just been saying. If he wants me to repeat it, I shall say that we endorse the evolution of whatever political outcome we reach by acceptance on the basis of consensus and majority. What is the problem? Back in 1970, long before it became fashionable in the House or in the hon. and learned Gentleman's party or indeed, my previous party, article 4 of my party's constitution accepted that the status of Northern Ireland could not be changed without the consent of the majority in Northern Ireland. That is part of my party's constitution.

We believe that no agreement can be achieved or can endure if it does not honour and reflect the vital principles that I have emphasised. A number of important points relating to the negotiations remain to be resolved or filled out. We shall endeavour to ensure that nothing is done that will weaken the negotiating structure set out in the ground rules. We accept that the multiplicity of participants who are likely to be involved may make it necessary on rare occasions—I am cautious on this one—to move away from the rule of total unanimity and towards sufficient consensus. That will be a very difficult area to define. However, it is important that, as signalled in the ground rules paper, the rules for establishing sufficient consensus are clearly agreed in advance and that any decision must have clear majority support in both communities—not cross-party support, but cross-community support within the republican tradition and the Unionist tradition.

The chairmanship of the north-south strand has to be determined. It will be a crucial appointment to confidence in the negotiating process. The SDLP looks forward to the appointment of an experienced, authoritative chairperson of proven integrity and independence of judgment.

[Mr. McGrady]

We feel that what precisely will happen at the opening of the negotiations needs to be fleshed out further, in particular with regard to decommissioning, which has been mentioned many times tonight. The SDLP strongly and unequivocally supports the subscription of all participants to the habitual principles of democracy and non-violence.

The international body's proposal on decommissioning must also be given high priority, as it was envisaged in the communiqué of 28 February and in the ground rules paper. We reiterate once more that the people who most want to see total decommissioning of all paramilitary weapons are the Irish people as a whole. At the same time, if decommissioning is reimported into the negotiations to serve as a road block or obstacle to the discussions on the full agenda of political questions, there will be two certain consequences. First, there will not be serious negotiations and, secondly, there will not be any decommissioning.

Parties that may be tempted to strike postures on the issue of decommissioning should think carefully about what they are doing and what they could condemn the people of Northern Ireland to. The reality is that political progress and progress on decommissioning will proceed in tandem. To seek total satisfaction on decommissioning at the beginning of the negotiations before moving to any other issue would be at variance with the further confidence-building requirement identified by the Prime Minister and the Taoiseach when they say:

"Confidence building would also require that the parties have reassurance that a meaningful and inclusive process of negotiations is genuinely being offered to address the legitimate concerns of both traditions, and the need for new political arrangements with which all can identify."

No party can have a veto on the agenda and, as stated in the ground rules paper, all topics must be fully addressed. It is vital, therefore, that the Government live up to their commitments in the ground rules paper with regard to their determination that the structure and process of the negotiations will be used in the most constructive manner possible in the search for that agreement. They will need to match their words with vigorous action in their management of what will inevitably be a tortuous process.

The SDLP's focus is, accordingly, on the negotiations themselves. That is the big picture and the context in which we judge the Bill. It is essential that we move immediately and directly from the elections into negotiations and that those negotiations proceed without direction from or interference or second-guessing by those not involved in the negotiation process or who may wish to deflect the negotiations from their proper purpose.

We disagree with many parts of the Bill. We will table a series of amendments that will show that disagreement. I would like to think that, in the context of what I have said tonight, the Government will consider those amendments, see their validity and accept them as amendments to the Bill in its totality.

7.19 pm

Mr. Peter Robinson (Belfast, East): This would be a great opportunity to follow the points made by the hon. Member for South Down (Mr. McGrady), but given the limited time that I have available I would have no time to make any comments of my own. At the outset, I wish to express—on behalf of my colleagues and, I am sure, everyone in the House—genuine wishes for a full and speedy return to health by the hon. Member for Newry and Armagh (Mr. Mallon).

I must tell the hon. Member for South Down that there has never been any unwillingness to enter into negotiations on the part of either of the two Unionist parties that he mentioned. There has been an unwillingness—rightly—to enter into negotiations with those who are terrorists and an unwillingness to find ourselves in a process for which others had set the agenda, which was tilted to allow only one conceivable outcome. It is proper for any responsible political party to ensure that when it enters negotiations, it does so on the basis of a suitable agenda and with those that it is possible to respect as constitutional and legitimate political parties.

The birth of this process comes from the failure of the Government to initiate the process that they had desired through the Anglo-Irish Agreement, on through the Downing street declaration and into the framework document. The Government recognised that they could not, through that process, get the consent of the people of Northern Ireland. After many failures, the Democratic Unionist party directed the attention of the Government to the necessity of imbibing the principle of consent as the core to any successful outcome to any negotiations. Unless that principle of consent is accepted by those who take part in negotiations—principally by the Government—there can never be a successful outcome.

On that basis and foundation, my party put forward a proposal in 1993 for a constitutional convention. I happily claim ownership of that concept. There is nothing to be ashamed of in putting forward a proposal for an elected constitutional convention. Why would any hon. Member of this democratic House think that there was something untoward about such a proposition? Undoubtedly, those who are nationalists do not like anything that reminds them of the awkward fact that there are a lot of Unionists in Northern Ireland, but that is the reality. If it is recognised that government cannot take place without consent, it is necessary to gain the consent of those who are the majority as well as those who are the minority.

We argued to the Government that, through an elected process, negotiations could take place that could test the validity and weight of arguments and whether there was any consensus for any proposals that the negotiators might produce. Some years later, however, the Government have come forward with an emasculated form of convention with a rigged election, a bridled forum and a stacked negotiating process with predetermined ground rules.

I will discuss the election system first. The Government set the criteria. The Prime Minister said in the House that if there was a broadly acceptable electoral process, it would be endorsed by the Government. We set out to meet the criteria that the Prime Minister laid down. In my view, we met those criteria when a Province-wide list system was agreed as the method for going forward.

The Government recognised that there were two main propositions—I emphasise the word two—and they put forward a further consultative paper pointing out that there were two main options: a list system or a single transferable vote system. The parties were asked to choose between those two systems. Overwhelmingly, the parties—those who represented 70 per cent. of the electorate in Northern Ireland at the election—supported

the list system. For whatever reason, however—and I do not seek to draw attention to any problems that the Government may have with some of their Back Benchers or the fact that they wanted to bring along parties such as the Ulster Unionist party and the Alliance party—the Government decided to abandon that broad acceptability and turn their back on it. To justify that, the Prime Minister came to the House and said that three systems were being considered, not two. He sought to divide the Social Democratic and Labour party's position from that of my party, but the agreement that we had was for a list system. The other minutiae could have been decided by the Government, but instead of a system that was broadly acceptable they came forward with one that was totally unacceptable to all the parties.

The Government managed to bring together all the worst aspects of each election system and none of the good aspects. It has been said that the process would be the first time perhaps anywhere in the world that such a system was used, and I trust that it will also be the last. To the constituency list has been added a regional list in which no differentiation will be made between those who have substantial support and those who have next to no support at all. That shows that the Government have decided what they would like the results of the election to be and have determined a system that will produce the result that they want.

I understand—more, I agree with—the concerns of the Ulster Unionist party. It has looked at the list and seen the possibility for widespread confusion. Someone could come to the ballot booth, look at one of the names and be justified in believing that he was voting for the Ulster Unionist party as represented in the House when in fact he would be doing nothing of the sort. Anyone who came into the ballot booth might look at the name of the Ulster Democratic party and think that he was voting for the Democratic Unionist party. He might read the name of the Independent Democratic Unionist party and think that he was voting for the Democratic Unionist party. There would be a lot of scope to confuse the electorate.

If there is a long list on the ballot paper—it will be a yard long by the time the process finishes—with names of political parties and independents on it, it is essential that there should be as clear a definition as possible of the parties for which people wish to vote. The Government have no alternative but to allow the political parties to put their names on the ballot paper in the way that they believe will ensure that there is no confusion. The Government must also set in place a system in which an appeal can be made if a political party feels that some other group has come forward with a name that is merely an attempt to steal its clothes and its votes. The Minister must recognise that there is cause to believe that some political parties are named on that list for that very purpose. The Province-wide list should be abolished. If it is not abolished, it should be democratised as far as possible by scaling the number of representatives from it on the basis of the strength of the parties' votes in the constituency lists.

The other element of the process that leaves me less than content is the way in which the Government have dealt with the forum. The hon. Member for South Down referred to comments that I made on Radio Telefis Eireann about the forum. No Bill can be so worded as to guard against the ingenuity of some people and to ensure that democratic principles will ultimately be adhered to.

I make no apology for saying that this elected forum of the people of Northern Ireland should not have a role in determining whether there is sufficient consensus for proposals made by a fixed group of negotiators with no democratic content. They are not there on the basis of the strength of their vote but in the same numbers, whether their vote is large or small. There is clearly a need to ensure that there is a test of the views that the negotiators have expressed and agreed. No one should run away from the fact that the forum should be the litmus test of what the negotiators deem should be the proposals for constitutional change.

Mr. McAvoy: I want to ask a variation of the question that I asked the hon. Member for North Antrim (Rev. Ian Paisley) earlier. What confidence does the hon. Gentleman have that that assembly—or forum or Stormont; it is only a name and not a system that I am talking about—would get the confidence of the nationalist community for a consensus on the future of Northern Ireland when every such body has failed in the past?

Mr. Robinson: There has been no body of this sort in the past. The hon. Gentleman is thinking of bodies that have nothing to do with the negotiating process that the House is setting up tonight. This process allows for a primarily deliberative forum, but it would be a testing ground for any proposals that others generate. It will be able to test whether they have sufficient consensus and are therefore likely to pass the ultimate test of a referendum of the people of Northern Ireland. Paragraph 23 of the document produced by the two Governments, quote, unquote, as the hon. Member for South Down mentioned, states:

"The negotiations will proceed on the principle that nothing will be finally agreed in any strand until everything is agreed in the negotiations as a whole."

On Radio Telefis Eireann, I simply said that we would not be satisfied with a final agreement unless we were happy that it would stick in the community. The only way that that can be tested is by finding whether it obtains a sufficient consensus among the elected representatives of the people of Northern Ireland.

To bring in the question asked by the hon. Member for Glasgow, Rutherglen (Mr. McAvoy), we proposed a weighted majority to determine whether there was sufficient consensus. There was not to have been a 50 per cent. plus vote but a requirement that there should be a weighted majority that could not be reached unless there was support from nationalist representatives.

Mr. Robert McCartney: Does the hon. Gentleman agree that in the past—for example, after the Sunningdale negotiations—the failure of negotiators to consult their constituencies meant that ultimately the package that they had agreed was rejected by the community and that one of the benefits of having the forum consider and validate the proposals of the negotiators would be in avoiding that situation?

Mr. Robinson: Yes. History has perhaps done more to confirm the hon. and learned Gentleman's comments than anything that I might say. If that lesson has not been learnt by now, it never will be. We saw the terrible tragedy of those who believed that they could defy the wishes of the

[Mr. Robinson]

people. They came to agreements in smoke-filled rooms—perhaps their arms were twisted, perhaps promises were made—but they reached agreements for which they could not secure support in their communities.

The forum is a way in which we can test whether something will have sufficient consensus. I know that that is not excluded by the Bill, but I believe that it should be expressly included. There is no threat to the negotiators in that process. I should have thought that having a body which can determine at any stage, on any proposition, the degree of support that might be generated in the community as a whole would be a positive factor on which the negotiators would want to draw. I trust that we shall not end up having a forum and a negotiating process which are locked against each other. They should use each other to further the process and to try to reach agreement.

Mr. McGrady: Does the hon. Gentleman agree that the provision in the Bill for a referendum on any agreement would give the ultimate democratic approval and ensure that the people, who are the ultimate arbitrators, have the final say?

Mr. Robinson: It will be the ultimate say, but I am sure that the Government will not be too happy at the prospect of having a multiplicity of referendums at the whim of negotiators who say, "Let's try this one on the people." To have a referendum, the negotiators must be fairly certain that the question that is to be put will get the support of the people. If they are not satisfied about that, or if they are not satisfactorily informed about what the views of the people are likely to be by the forum, the proposition will not be sound. The forum has an excellent role as a litmus test for proposals. If they are to succeed, many of the proposals will have to be novel. That will be essential. If we dredge up the failures of the past, we shall fail again.

Rev. Ian Paisley: Was not this lesson taught to the House after Sunningdale? The Government said that there would never be a referendum and then the Heath Government fell. Mr. Fitt is on record as saying that that was the tragedy. It went to the people and every Opposition Member was wiped out except Gerry Fitt. The united Unionist coalition carried the day. The people spoke and that was the end of the Sunningdale agreement. Everyone argued about whether the people were aware of what was going on. Mr. Faulkner was busy selling it around the country, but he was swept away and became a leader without Indians.

Mr. Robinson: My hon. Friend makes a point similar to that of the hon. and learned Member for North Down (Mr. McCartney). They reinforce the fact that the forum has a meaningful role to play, but that is not its only role. It also has a useful role in terms of informing the negotiators of issues, giving them views after it has met and questioned members of the public, community groups, women's organisations, Churches, trade unions and others on the various subjects with which the negotiators will have to deal. That ensures a grass-roots involvement in the process. I trust that that at least is something in the process that the hon. Member for South Down would welcome.

I trust that the Bill's course will not be marked by the refusal of the Government or of hon. Members to recognise that there is a useful role for the forum and that it should be trusted with the minimal role of expressing its opinion and being able to test the weight of support for various propositions. I fear, however, that the wording—perhaps the number of previous Bills, orders, Command Papers, documents and communiqués that the Government have produced makes me suspicious—in talking about the role of the forum being only deliberative, suggests that it may not even be able to determine the issues that it is to discuss. Rather than saying what the forum is not allowed to do, the Government should give us some indication as to the things that the forum can actually do, so as to ensure that it has a meaningful role.

I have exactly the same fears as those that I believe were expressed by the hon. Member for South Down. When one looks at the list, it is conceivable that at least 76 people will be around the negotiating table. Each of the top 10 parties on the list, according to the Bill, will have three negotiators as well as three people behind them, but the two Governments will have five people behind them. That means that a stadium full of people will be present while a negotiating process is supposed to be going on. Does anyone really believe that with 76 people present there will be meaningful negotiations? Of course not.

We were in a much smaller body during the last talks process and it was not long before we discovered that we had to reduce that body still further. We had not operated that smaller body for a week before we realised that it was far better to get one or two people to go off and talk in the corridor and see what degree of agreement could be reached. Let us not suppose that the proposed body, when it meets collectively, will negotiate. The very most that it can do will be to register what agreements have been reached and to report on what has taken place in terms of the real negotiations—the bilateral, trilateral and other meetings that will take place in the rooms of the negotiating teams.

If the negotiations are to be based on the ground rules that the Government have published in Cmnd. 3232, I believe that they will be far from successful. The Government cannot get away with that one. They cannot come to the House and say that the guidelines are broadly acceptable. Broadly acceptable to whom? The Ulster Unionist party has said that it does not accept them and the Minister knows that my party does not accept them—we have told him that often enough. Some ground rules within the guidelines are totally acceptable, but others are not. It is clear that the first thing that the negotiators will have to do when they meet is to determine the basic ground rules that will govern their proceedings.

Even the ground rules as set out in Cmnd. 3232 leave a great deal of additional work to be carried out. For instance, the most fundamental questions in the ground rules are these. What is consensus, what is sufficient consensus, and what is agreement? And what is the measure of that agreement within the negotiating process? If one cannot agree on what agreement is, there could be major difficulties in the days ahead.

I agree entirely with the hon. Member for Upper Bann (Mr. Trimble) that it is essential that some work is done, perhaps even between the political parties in Northern Ireland before we get to those negotiations, to see if we can reach a consensus on what agreement, consensus and sufficient consensus should mean. The difficulty for me is that painful experience suggests that when we have broad

agreement among political parties in Northern Ireland, the Government turn their back on it. Therefore, the Minister reaps what he has sown by his refusal to accept broad agreement when it existed.

The ground rules are being imposed by two Governments, quote unquote, which means that two of the players in the negotiations have met together before the negotiations are to take place, decided what is best for themselves and imposed it on the others. They have ensured that they have ground rules which will lean towards the kind of outcome that they want. They even flagged their desired outcome by saying, "Look, we have signed up to a framework document, boys, and we are almost committed and bound by that: that is the way you should be going." If that is what the Minister thinks, he will be bitterly disillusioned in the meetings that take place after 10 June, because I must tell him and the hon. Member for South Down that Unionists do not see the framework document as the basis for an agreement for the future of Northern Ireland and its relationship with the Government of the Irish Republic.

Let me be clear about this. Unionists want to have a stable means of government for Northern Ireland and they want to have a co-operative and friendly relationship with the Government of the Irish Republic. They trust that the Government of the Irish Republic will face up to what Unionists see as the main obstacle to that: the territorial claim in the Irish Republic's constitution. I can abide by the commitment being sought in paragraph 16 of the ground rules, which asks that all negotiators

"will take part in good faith"

and

"seriously address all aspects of the agreed agenda".

It is not in the interests of any Unionist not to take part in the process in good faith. We want to ensure that we have a process that is built upon a sound foundation, which is capable of producing a satisfactory result for all people of Northern Ireland, and one that can generate the necessary support from the people in our community at a referendum afterwards.

The Bill as currently drafted is deficient in many ways. Indeed, it is deficient in so many ways that it will be impossible to vote in support of it tonight. I trust that the Minister will be open enough in Committee on the Bill to recognise that serious concerns must be taken on board. He must recognise that changes can be made to the Bill and that it simply cannot be pushed through the House, even with the use of the guillotine, should the Government decide to use that procedure. That would ignore the wishes of the elected representatives from Northern Ireland.

Changes could be made to the Bill to make its proposals worth while so that the people of Northern Ireland can have faith in them. The onus will be on the Government, however, and we shall see from their behaviour on Monday, when we debate the Bill in Committee, whether they are prepared to make the changes that will make the Bill a worthwhile measure for the people of Northern Ireland.

7.46 pm

Mr. Thomas McAvoy (Glasgow, Rutherglen): I am pleased to follow the hon. Member for Belfast, East (Mr. Robinson), who has expressed a considered point of view that there is the prospect of genuine dialogue between the parties in Northern Ireland.

I should like to endorse the comments of my hon. Friend the Member for Redcar (Ms Mowlam). I should also like to thank and congratulate the Secretary of State and his team on the work they have put into the Bill. In the past, I have had my doubts about the veracity of the Tory party in a general election year, especially given its track record of making deals with the Ulster Unionists to sustain itself. I still support that view, although one cannot condemn without some evidence. I accept that my view, which is based on a suspicion—but founded on history—is, nevertheless, only a suspicion. By presenting the Bill and the ground rules, however, I accept totally the sincerity and genuineness of the Secretary of State and his team. It is clear that they were looking for suggestions and assistance and that they had an open mind about how to proceed in the aftermath of the events in February.

It would be easy to pick holes in the Bill and criticise the logic of certain parts of it. All sorts of phrases have been used to describe the contortions in it. Those very contortions and manoeuvres, which are meant to try to find something acceptable to all parties, reveal the genuineness of the Government's attempt to try to move the process forward. I have no doubt that Monday and Tuesday night will offer an opportunity to try to improve the Bill through amendments designed to tackle those bits about which many of us are not happy. It must be said, however, that the Bill represents a genuine attempt to move forward, and it should be supported.

Although every party, especially those from Northern Ireland, can pick faults with the Bill, surely the facts of life mean that if the Government came up with a set of proposals that were totally acceptable to one of the parties in Northern Ireland, by definition the other parties would not appear at the negotiating table. The Government, by not pleasing everyone, including the Opposition, have certainly shown that they are trying to get people around the negotiating table.

I strongly support, as does the Labour party, the six principles in the Mitchell report. I fully understand the reservations and trepidations of our Northern Ireland colleagues in relation to paramilitary participation and negotiations. I take the point of view, as does the Labour party, that any organisation that signs up to the six principles in the Mitchell commission report and then totally abandons them will lose all credibility and support from within the community that originally supported it.

Mr. Robert McCartney: Does the hon. Gentleman accept that Sinn Fein-IRA have never had the slightest difficulty in dealing with any lack of credibility from the community generally in relation to their activities? Does he also accept that probably 90 to 95 per cent. of the population of Northern Ireland, from both communities, abhors Sinn Fein-IRA activities but that that does not seem to deter events as recent as that of last evening?

Mr. McAvoy: I totally condemn violence in a modern democratic society—there is no excuse for it—but the fact is that X number of people vote for Sinn Fein. I do not like that, but they have the right to do so. We must try to get the political representatives of that section of the voters into the negotiating process—that is what I am supporting, but I am not supporting the inclusion of violence. It is all right to say that they have a record of violence—I fully accept that. That is why I speak with trepidation in front of our Northern Ireland colleagues—they have lived with the situation for the past 25 or 26 years.

[Mr. McAvoy]

If we are going to move forward, we have to try to get those people who vote for Sinn Fein to join in the democratic process and not to support a party that condones or supports violence. If we can get Sinn Fein to agree to the six Mitchell principles and then it reneges, the vast majority of people who vote for it will cease to do so—that would destroy its credibility. It has been said that Sinn Fein has no credibility, but that is not quite true.

We know that Sinn Fein has a certain amount of credibility in the international community—I do not agree with it or like it—because it is seen to represent a "victimised" section of the community in Northern Ireland. We should try to move forward and get Sinn Fein there, so long as it accepts the six Mitchell principles. I have no hesitation in saying that if Sinn Fein does not accept that, it is finished.

I thank the hon. and learned Member for North Down (Mr. McCartney) for his intervention. It illustrated the over-concentration by our Northern Ireland colleagues on the meaning and weight of every single word. The hon. Member for Spelthorne (Mr. Wilshire) said that every single word has a nuance and a Northern Ireland context. There is a paranoid suspicion that every single word from the Government is somehow selling Northern Ireland into the hands of the nationalists in Dublin.

It always surprises me—as an outsider looking in—that the Unionist community in Northern Ireland, by the clear definition of number, influence and long history, is a force to be reckoned with. They are there, there are a million of them and they are in a strong position. The Unionist community should show a hand of strength and reconciliation to the nationalist community, not in the terms of master and servant, but from a position of strength. The community is in a position of strength—no one will ever force it out of the United Kingdom and the Irish Republic as long as that volume of people are there. I would like to see the Unionist community draw some more self-confidence from within itself and make more gestures towards a nationalist community.

Rev. Ian Paisley: The hon. Gentleman should realise that, if the majority's voice is not allowed to be heard in a free and democratic vote, suspicion is caused. Look at the history. When were the Unionist people consulted about the Anglo-Irish Agreement, or the Downing street declaration, or even the framework document? I will not sit at a table with a framework document on it and negotiate it. It is a one-way street—I am sure that the hon. Gentleman has read it—to a united Ireland. I am not going to unite Ireland. It must be understood, therefore, that the people of Northern Ireland are rejecting it because we were to have a referendum every 10 years. That disappeared. Twenty years have gone and we have not had a referendum. If the right of the people to express their wishes is taken away, that will cause them to have suspicions.

Mr. McAvoy: Nothing that I have said would indicate that I am trying to take away anyone's right to vote. Where we are now—with the forum and then the negotiating body—is where we are going, and it encompasses voting. I do not oppose that. I say to the hon. Gentleman—I shall choose my words very carefully—that I think he does not take into account enough the historical and social circumstances that led to the creation of the Northern Ireland state with its almost solidified voting intentions.

Having said that, I would like to move on because too often in these debates we start to talk about past events. I hope that I have answered some of the points that the hon. Gentleman raised.

Dr. Godman: I ask my hon. Friend to put to one side our experience of the Scottish travelling circus—the Scottish Grand Committee. Does he support my view that the Bill should be amended in such a way as to enable the forum to meet and convene meetings in various locations?

Mr. McAvoy: Yes, both in the Irish Republic and in other areas of the United Kingdom. I should like there to be a strong and confident assembly, Parliament or whatever it will be called, to go forward in a confident manner to the Irish Republic and deal with the Dublin Government as two Governments within one Ireland—as close neighbours. I think a self-confident community in Northern Ireland would do that.

I share the concern about the proliferation of parties and their names. I usually do not give much sympathy to the Liberal Democrat party, but even I almost feel sorry for it. I understand the problem with the names. I see from the list that there is a party that is just called Labour. There is a genuine debate as to whether the Labour party should become organised in Northern Ireland, but that issue is for a separate debate.

The party called Labour has absolutely nothing to do with the Labour party. If Labour gets a ridiculous vote, no one should claim that the Labour party should not become organised in Northern Ireland. By the same token, if Labour gets a high vote, no one should claim that the Labour party should become organised in Northern Ireland. That is not relevant to the debate because Labour has nothing to do with the Labour party—I make that very clear.

I sympathise with our Unionist colleagues in relation to the parties with minority interests and Unionist names. That will cause confusion. Having recognised those fears and having some knowledge—obviously, not the expert knowledge of some colleagues—of Northern Ireland, I must say that I feel that the electorate will see through what is going on and will make sure that they vote for who they want to vote for. We should not fall into the trap of underestimating the electorate in Northern Ireland, as politicians sometimes do.

I take the point of my hon. Friend the Member for Belfast, East about the forum and the negotiating body. He and our Unionist colleagues should bear in mind—I am trying not to head back to the past—what will happen if the House of Commons solidifies the voting intentions and patterns of Northern Ireland into a negotiating body. There are genuine fears, which I share, that the process will not result in a settlement that will be broadly acceptable to the mass of the people in Northern Ireland. I can understand that some Unionist colleagues may regard that comment as an insult. They may feel that they are not trusted. There is tremendous resentment, which I have picked up, because Unionist colleagues do not feel trusted by the rest of us. That is something with which we have to live; that is where we are.

The hon. Member for Belfast, East and other Unionist Members should understand that the view that I have described is taken with reluctance, but there have been failures; there have been mistakes. We understand that. It is because of previous failures that there has been a failure to arrive at genuine consensus.

Mr. Robert McCartney: Does the hon. Gentleman agree that, to a large extent, it is the national parties in this place which have contributed to communal politics in Northern Ireland, in so far as someone like me, who supports the socio-economic politics of Labour, and is a British citizen, is incapable of becoming a member of the Labour party? If there is a wish for political miscegenation, it is time that something was done to bring it about.

Mr. McAvoy: New Labour might even reach the far-flung province of Devizes. We never know what will happen.

At the risk of sounding intellectual, we are collectively responsible, in a sense, for all the faults and problems of our society. I think that the Social Democratic and Labour party would accept that. We are all responsible also to ensure that the men and women of violence do not destroy the process that lies before us. In a different context, it seems clear that in Israel and Palestine, the extremists on either side of the conflict are determined to sabotage any chance of peace in the middle east by means of explosions, assassinations, terrorism and violence generally.

We must ensure that we do not overreact to events of the sort that took place last night. It is clear that someone was intent on trying to send a message to the House. The explosion took place fewer than 24 hours before we began consideration of the Bill. It was a disgrace. We should not bow down to the men and women of violence by allowing such an incident to throw us off track.

I admire the Secretary of State for the determined and thorough way in which he has clung on and pursued the peace process. The same can be said for the rest of the right hon. and learned Gentleman's ministerial team. We must ensure that we in this place do not allow the men and women of violence to divert us. There is a rough road ahead. The forum and the negotiating body will be only the start of a long process. I wish the Government well in that respect. I shall support the process that lies ahead. History will judge how we reacted to it. That is not to say that the Bill and the ground rules are perfect. However, they represent the only process in front of us, and I have no hesitation in saying that the process should be supported.

8.3 pm

Mr. Ken Maginnis (Fermanagh and South Tyrone): My party and I welcome the concept of elections to a forum from which negotiators will be able to try to bring about solutions to the political problems of Northern Ireland. We cannot, however, ignore the recent past, during which we have endeavoured to negotiate our way through a non-elected body. In 1992, we had the unhappy experience of putting a great deal of effort into negotiations that fell apart because some parties did not have a mandate from the electorate. Many of them were present with another agenda, one entirely different from the main agenda to which my party sought to adhere.

It is no secret that the Social Democratic and Labour party has produced some genuine negotiators, but the SDLP has an autocratic management. The progress that was made for days on end was suddenly undermined when the leader of the SDLP arrived on the scene. We now understand why that happened. There was an entirely different sideshow, of which we were unaware at the time. The hon. Member for Foyle (Mr. Hume) was engaged in negotiations with Sinn Fein. Before anyone decides that that is worth defending and that those negotiations brought about a ceasefire that endured for 17 months—we are always happy if there is no violence; when we awake and find that no violence has taken place, it is an occasion on which to thank God—it is now clear, as history has proven, that it was not a genuine ceasefire.

The intentions of the leader of the SDLP, the hon. Member for Foyle, were no doubt of the utmost integrity, but he let down the peace process that took place in 1994. He did not draw the terrorists into a permanent ceasefire. Instead, he opened a window of opportunity for them to exploit the political situation at the very moment when they, the terrorists, were coming under stress and strain. It was a time when their organisation was leaking and when the rate of attrition by the Royal Ulster Constabulary was the highest that it had ever been. It was a time when the IRA was running out of funds. The window of political opportunity was open.

Bearing in mind what happened last night in London, we see the outcome of negotiations in which those taking part were not directly and specifically mandated by the electorate. I shall return to the significance of what has happened over the past few months, including what happened last night.

My party is disquieted, to put it mildly, by the form of election that the Government have proposed. I seldom agree with the hon. Member for Islington, North (Mr. Corbyn), but he rightly said that we have never had an election in the United Kingdom based on party names. We have never voted for parties. People in Northern Ireland vote for people. It is people voting for people who sustain democracy. That system makes the process meaningful. It is an approach that creates accountability for us all. Each one of us is accountable to his or her electorate. Our electorates identify with us because they have chosen us as individuals. To ask the electorate to vote for a party is to play into the hands of parties that have an autocratic structure. We all know which those parties are in Northern Ireland. We have heard a Member of one of those parties this evening say that it is not good enough to have the party name, because one must be able to identify the party for the electorate, and ask how it is proposed to identify that specific party for the electorate. A party leader's name will be introduced on the ballot paper.

What is happening is the antithesis of democracy as we know it. It is a slap-happy and shoddy way of dealing with the needs of society in Northern Ireland. It is driving people into particular camps. People are not being given the opportunity to have a second choice. Some people's first choice may be to vote for Ulster Unionism, but their second choice might well be across the traditional divide and a vote for the SDLP, or vice versa. I am sure that that could and should happen, but we do not have that opportunity now. One is asked to stake one's future within a particular camp. One X for a political party. It is wrong.

Rev. Martin Smyth: Does my hon. Friend admit that such people will not necessarily be transferring from one party to another, but moving from one candidate to another whom they know?

Mr. Maginnis: My hon. Friend is absolutely right. That is the nature of society in Northern Ireland, despite our

[Mr. Maginnis]

long-held distrust, one tradition of the other. The distrust has to do with not knowing who the baddies are within the other tradition, so one damns the other tradition. The ability to vote for a candidate within the single transferable vote system allows an individual the opportunity to pick within another tradition. There is a tendency to vote for one's own as a first choice, but the second choice might be to vote for the decent fellow or lady from the other tradition. We have lost that opportunity.

That is sad when one considers the difficulties that we shall encounter the day and hour that we sit down in the forum. We have the difficulty of whether people standing for election will genuinely eschew violence. What, I wonder, shall we do when a Sinn Fein-IRA candidate—the sort of person whom I mentioned earlier in an intervention—arrives and signs the declaration in private, gives it to the returning officer and says, "I am now a candidate under the Sinn Fein banner"? Or that may be done under the banner of some other paramilitary organisation.

One thing that we must ensure is that the declaration is made not just in private, but in a more public way so that, at the very outset of the operation of the forum, a document is read publicly in a fashion similar to that which occurs in the House when new Members take the oath either by swearing on the Bible or by affirming. If such a document can enshrine the principles that derive from the Mitchell report, there will at least be further evidence for the public at large that the Government are endeavouring to ensure that genuine people are being charged with and made responsible for the negotiations and those things pertaining to negotiations from within the forum.

I talked about the difficulties that we shall encounter. Let us consider for a moment what happened last night. Some people dismiss it almost as a signal. It was more than a signal. IRA-Sinn Fein have discovered that there is nothing for them within the democratic process. They have been wedded for ever, it seems, to the violence that they have perpetrated for 26 years. They have discovered something that rather disconcerts them—that the people of Northern Ireland and the people of the United Kingdom will withstand their violence for as long as they have to. They recognise that Sinn Fein has the support of only 4.8 per cent. of the electorate, because 95 per cent. of the people have not voted for Sinn Fein-IRA. I do not exclude loyalist paramilitaries or their horrible deeds from my criticism, but they have never attracted even 1 per cent. of the support of the total electorate.

The IRA will not win militarily and it must decide whether to continue killing for the sake of killing; whether to continue its violence for the sake of violence. It does not seem to make sense. Therefore, it considers how it can exploit the political scene. That, believe it or not, has been its first and major mistake. The day and hour that it entered the political arena was the beginning of the defeat of the IRA. I do not use the word defeat to incite it to further violence. I know that it can kill tonight or tomorrow night. What I am saying is that it has lost the intellectual and the ideological argument that somehow, from days of yore, motivated its movement.

If that is the case, the IRA has compounded its difficulty by moving into the international arena because, by doing so, it has placed itself under the scrutiny of the international community. What will the international community say if, once again, it moves into a ceasefire insincerely and then backs out into its violence?

The IRA's dilemma is not whether it moves from violence to the democratic process. If that was its problem, it would have been resolved by the setting of the date for all-party talks which it demanded. Once it got that, it realised its true dilemma, which is at what level to pitch its violence today and tomorrow so as to retain some of the sympathy and the folklore that has sustained it from the United States and elsewhere.

That brings us to the real function of the election and the forum. Because, hear what I say, the IRA is defeated. It is finished. It has nothing to offer. It is, therefore, to the constitutional nationalists, more than the Unionists, more than the Government, more than the House, that the responsibility falls. What do they want for Ireland?

We have heard powerful and effective words about how we share the island. It all sounds very good. We have listened to and read over and over the words of the Downing street declaration—the will of the people of Northern Ireland first and foremost; the consent that is necessary. What does it mean if it does not assume some sort of tangible form in respect of the day-to-day affairs of society in Northern Ireland—how an administration can function in order to serve that society more effectively?

As we move into elections, as a Unionist, I feel no sense of shame, of having unnecessarily to humble myself, in appealing to the constitutional nationalist parties throughout Ireland, including the Government in Dublin and all the other constitutional nationalist parties in the Irish Republic, to examine exactly what they mean when they say to us, "We want to be your neighbours. We want to work with you. We recognise the democratic right of the people of Northern Ireland to consent to their own future." Can they show us what they mean by that? Do the Social Democratic and Labour party, a very powerful and influential party in Northern Ireland, and the other constitutional nationalist parties, realise the potential that there is in coming together within a forum?

Can the Secretary of State not see, when he looks at the purpose for which the forum is being elected, that he will deprive society in Northern Ireland of an opportunity to live and work together politically if he restricts the time for which the forum is able to function? I see a contradiction between schedule 2 and clause 3(4) of the Bill, which says:

"But if, in accordance with any rules and procedure adopted by them,"—

the forum—

"the participants in the negotiations refer any matter to the forum, subsection (3) shall not be taken to prevent the forum from considering that matter."

But paragraph 2(3) of schedule 2 says:

"But the forum shall not meet at any time notified by the Secretary of State to the chairman as being a time when, in the opinion of the Secretary of State, it would not be appropriate for the forum to meet because negotiations within section 2 may take place."

The 60 or 70 people sitting in the forum must not be constrained by the other 50—far too many—who are taking part in negotiations. They must be able to work in committees, to support what is being investigated by the negotiators as a possible way forward. There will be times when the negotiators will run up against difficulties and

will want to refer the matter to the forum for investigation, for the taking of evidence. That is an important role, and it will continue to involve those who elect members. There will be a conditioning of our entire society, I hope, for some form of agreement, whereby each tradition will know that it will not get everything that it wants, and that reality need not come as a shock at the end of the process. People need to know what is happening and to have confidence in what is happening as we move through the process.

My final point arises from paragraph 8(2) of schedule 1. Why is T, in the formula for arriving at a quota, the total number of votes given? The total number of votes given is never the number of votes used in arriving at a quota. It is the number of valid votes cast. With our particularly complicated list, on which we shall have to vote if the Bill is passed, there will be an awful lot of spoiled votes. If we take the total votes given, which is what the Secretary of State suggests, the quota will be so high that it will take an inordinate number of counts to elect people. We do not want that.

This election fills me with hope on the one hand and fear and trepidation on the other, because if we—whether it be the SDLP, the Democratic Unionist party, the Ulster Unionist party or people from the multitude of other parties—are to make progress, we must be allowed to do so in our own right and not be constrained by consideration for those who are wedded to violence and who cannot be prised from it.

8.26 pm

Ms Judith Church (Dagenham): I apologise to the House and to the Secretary of State for missing his speech this afternoon, but I was detained on constituency business.

Having learnt of the ill health of the hon. Member for Newry and Armagh (Mr. Mallon), I send my best wishes to him, and hope that he will make a speedy return to us. I am sure that the whole House will wish to join me in that.

We should acknowledge tonight the great toll that the work load in terms of the peace process takes on hon. Members, particularly those from Northern Ireland and those on both Front Benches. *[Interruption.]* I was not going to propose a pay rise, although I can see that some of my hon. Friends are a bit eager. It is a very heavy work load, and we must congratulate hon. Members on the tremendous progress that is being made, despite the difficulties.

I echo the comments of my hon. Friend the Member for Redcar (Ms Mowlam) in supporting the Secretary of State over last night's bombing. We all agree that such atrocities are as pointless as they are destructive, and they have no place in a civilised debate on the future of Northern Ireland.

The Bill presents us with a concrete opportunity to take the peace process forward and to develop a path to real dialogue between the parties involved. Naturally, we support that aim, and anything that might bring it about. There are, however, a number of areas in the Bill that need clarification.

The first, as a number of hon. Members have said, is the status of the proposed forum. The House and the British people are conscious of the burden of history in Northern Ireland. We are all concerned that the forum should not develop into an assembly controlled by one community, which would serve to divide the peoples of the Province rather than unite them. In that context, we would like more detail on the precise role and function of the forum and how it will work. I know that the way in which it will work will depend on the will, determination and commitment of the forum's members, but, given the number of hon. Members who have raised the issue today, the Minister may wish to tell us a little more.

Secondly, there is the problem referred to by my hon. Friend the Member for Redcar—the under-representation of women in Northern Ireland's political life. Of course, that is not peculiar to Northern Ireland; before what I just said is taken up, let me add that only 10 per cent. of Members of Parliament are women. But there are no female Northern Ireland Members, and I believe that only about 10 per cent. of Northern Ireland's councillors are women. We have not achieved equality in councils elsewhere in the United Kingdom, but we are fast approaching that point, and there has been a substantial increase in the number of women who take part in our democratic life at every level.

In the context of the troubles, it is understandable that this issue has not yet achieved any great prominence, but I think that it is an important element of Northern Ireland's political development. If any organisation, state, part of a state or community is to develop politically into a mature democratic forum, every part of the community must be represented. In particular, women need to be represented in our elected bodies.

Mr. Maginnis: I could not agree more. On the basis of the hon. Lady's experience of her party, can she tell us how we might make progress?

Ms Church: I am glad that the hon. Gentleman asked me that. No doubt his question could form the basis of a lengthy debate—but you will be pleased to learn, Mr. Deputy Speaker, that I have no intention of allowing that to happen.

I know that there is no quick fix, but, given the rate of progress in the House before our party developed strategies to increase the representation of women, it would take us between 250 and 300 years to achieve parity in the House. I do not expect equality of representation in the House to come about in my lifetime—although I intend to live for a long time, despite what some may think or wish—but I hope that we will improve considerably on the current 10 per cent. Of course, much of the problem is caused by the culture of all the political parties.

Dr. Robert Spink (Castle Point): What would be the implications if Northern Ireland adopted one of the strategies of the hon. Lady's party for bringing more women to Parliament? Emily's List requires those standing for election to state in writing that they are in favour of abortion.

Ms Church: That is a difficult issue. Anyone wishing to gain sponsorship from Emily's List must make that commitment, but, as the hon. Gentleman must know, that is not the only method that Labour has used to increase the representation of women.

[Ms Church]

For a long time, organisations such as the Northern Ireland Women's European Platform and the Downtown Women's Centre have struggled to deal with the problem of female under-representation, but there has been little public recognition of their work. The presence of the Northern Ireland Women's Coalition on the election lists is welcome, but that must be built on: we must increase the number of women who participate in the Province's political life, as political candidates rather than people who are merely part of the coalition.

A merging process must take place. The Government, and members of all political parties, have a responsibility to ensure that that happens. I know that it is not top of the list of priorities in the peace process, but I feel that, for the sake of the long-term health of Northern Ireland and of democracy in the House of Commons, we need more balanced representation.

My third point, which has already been mentioned, relates to the electoral system that has been chosen for the forum. I agree with much of what was said by the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis). I have been interested in electoral and constitutional reform for a long time. Last night, the all-party group in favour of constitutional reform held its initial meeting in the House, and I think that those of us who believe that constitutional and electoral reform are an important part of the House's agenda are beginning to act more collectively.

I do not want to make a specific party point, but let me point out that Labour is the only political party in the country that has spent a long time examining electoral systems in general. It set up the Plant commission, which sat for three years and produced a comprehensive review of all the work that had been done on electoral reform. I do not wish to bore for Britain on the issue of electoral systems—perhaps it would be more appropriate to say "bore for the United Kingdom"—but we must have consensus. We must recognise that there is no perfect electoral system. The electoral system that is adopted depends on the functions of the elected body, and on what we wish it to do.

The commission, under the excellent chairmanship of Lord Plant, spent a long time examining all the existing electoral systems around the world. Some of its members went to Germany, and we had representations from Australia, New Zealand, Israel and many other countries whose electoral systems are different from the predominant UK systems—first past the post, and, in Northern Ireland, the single transferable vote.

We did not, of course, have an opportunity to consider the electoral system that the Bill proposes. It is an innovation. We all agreed, however, that it requires some mathematical ability to think through the way in which an electoral system might work. Those who are not of a mathematical bent may be put off by what the formulae in clauses 8 and 9 would mean in practice. A good deal of education will be needed. I am fortunate in having a degree in mathematics, but I have sometimes found the subject difficult, nevertheless.

Three years is a long time in which to examine electoral systems as a member of a commission. We have not that much time in which to decide on the right electoral system for the forum: if it took as long as that, the peace process would be halted for a long period. In a sense, the right electoral system must be plucked out of the air. I do not know whether the Secretary of State will agree with me, but I suspect that the proposal in the Bill has been plucked out of the air; it has certainly not been plucked out of any textbook.

Mr. Roy Beggs (East Antrim): Does the hon. Lady agree that, as there is so much at stake for all of us in Northern Ireland, within the United Kingdom and within these islands, we should not be made guinea pigs yet again?

Ms Church: When a new system is introduced, somebody has to be the guinea pig. The difficulty is that none of the existing electoral systems, which were clearly considered by the Government, suited the purpose of the forum. Perhaps the Minister will want to speak about that.

"Guinea pigs" is not exactly the right term for the proposed system, which will, I hope, address many concerns. Of course it will not be perfect, but the electoral system matters. One of the dangers in proposing a new system quickly, which is what has happened here, is that it may end up being permanent. The hon. Members for Upper Bann (Mr. Trimble) and for Fermanagh and South Tyrone spoke about that, and my hon. Friend the Member for Falkirk, West (Mr. Canavan) spoke about the Palestinian elections.

We must make progress, and we cannot let the difficulty of arriving at a system hold us back. That does not mean that we should not point out difficulties in trying to explain the system to the electorate. Electoral systems are complicated, and part of political progress must be political education, so that the electorate understands how democracy works. If we do not do that, we have failed.

This is a contentious issue. If it were not, it would not be debated at such length, and I would not have spoken about it as I have. I do not criticise the Government for proposing this electoral system. I have not had time to look closely at it and at the criteria, but I hope that somebody did that before proposing this system in the Bill. The system may not be perfect, but we must ensure that it is as close as we can make it. Some amendment may be needed to achieve that.

Politicians must never forget that the people will ultimately decide on whether the peace process is a success or a failure. As a result of the Bill, they will shortly be given the opportunity to voice their views and to give their consent to the next steps in the process. That is wonderful progress, and, despite some of the criticisms, it will reassure the citizens of Northern Ireland—which is perhaps what they need above all—that the peace process is being moved forward. That will help to allay their concern that the process was not moving as rapidly as it should.

We look forward to continuing progress, so that the cause of peace can be advanced. The Bill should be implemented as quickly as possible. It has maximum support, and we must make sure that elections take place in as peaceful an atmosphere as possible. In the light of last night's event, we must reiterate that the House will not be moved from the path to peace in Northern Ireland. None of us will bow to that sort of pressure, and we reject the people who believe that such pressures are any part of the democratic process. Clearly they are not.

8.43 pm

Mr. John D. Taylor (Strangford): In the lengthy run-up to this debate, there has been much rancour and criticism from all sides in Northern Ireland about the issue of a proposed forum and all-party negotiations. However, noticeable features of the debate have been the measured contributions from hon. Members on all sides, the thought that went into the speeches, and, at times, the good humour. This has been a good launching pad for the electoral process that the people of Ulster are about to enjoy. People in Northern Ireland will at last have the chance to speak, to express their views on Northern Ireland soil.

I join those colleagues who have mentioned the brief illness of my Member of Parliament, the hon. Member for Newry and Armagh (Mr. Mallon). Although he knows that, for obvious reasons, I do not vote for him, he is my Member of Parliament, and on a personal level we have a very good relationship. I wish him a speedy recovery and a quick return to the House. I am disappointed that he is not here for the debate, because, for the past few months, he has been giving good leadership to the nationalist people of Northern Ireland as we try to bring all communities into the political process.

This is an interesting and historical moment for the people of Northern Ireland. We have had 25 years of terrible events and tragedies, from which few families in Northern Ireland have escaped. We want an opportunity to put that in the past and to build a new future, in which everyone in Northern Ireland can enjoy a free, democratic society and the benefits that flow from that.

We in the Ulster Unionist party welcome a Bill that provides for elections in Northern Ireland. We stand firmly behind the principle of consent for the people of Northern Ireland. That principle should be underlined time and again in the debate, because if it is not accepted, the process will fail.

We were disappointed to note that, in the nominated forum in the Republic of Ireland, among the nationalist people of Ireland the principle of consent could not be accepted by all the participating parties. That is a bad omen for what is about to take place in Northern Ireland, and I hope that, when we have our forum, which will have been created by the people of Northern Ireland themselves, we shall have greater success in establishing the principle of consent and of having it accepted by all the participating parties.

In addition to the principle of consent, there is the principle of decommissioning. I was glad to hear the speeches by hon. Members in all parts of the House, but I was disappointed to note that only three Conservative Back Benchers have attended this historic debate on the future of part of the United Kingdom. Only one Conservative member of the Northern Ireland Select Committee was present. That reflects badly on the interests of the Conservative party; and the presence and participation of Labour Members was little better.

However, I pay tribute to the Prime Minister for the way in which he has placed Northern Ireland at the top of his agenda in 10 Downing street. He is the first Prime Minister for many years who has given priority to the difficult issue of politics in Northern Ireland, to the issue of relations within the island of Ireland, and to the totality of the relationship within the British Isles. We should also pay tribute to the Leader of the Opposition for his bipartisan support for the efforts of the Prime Minister, to try to steer us in Northern Ireland into a situation where we can build the foundations upon which there will be lasting peace and reconciliation within our community.

While I am expressing my appreciation of the leaders of both the Conservative and Labour parties, it would be remiss of an Ulster Unionist to ignore the role of the Government of the Republic of Ireland, and, in particular, the present Prime Minister, Mr. Bruton. Although I disagree with his Government's point of view, Mr. Bruton's approach has been measured and reasonable—at times. At other times, we have had to criticise him severely, but it is only fair to place on record the fact that he has been endeavouring to help to create the conditions in which nationalists and Unionists within Northern Ireland can have a better future.

I referred to the tragic years of the troubles, and we later had the ceasefire of 1994. There were those—including the hon. Member for North Antrim (Rev. Ian Paisley)—who, on a weekly basis, stated that the ceasefire would collapse next weekend, or at Christmas, or at Easter, or new year or any other date they could think of. Nevertheless, the people of Northern Ireland enjoyed peace for almost 18 months.

If the people of Northern Ireland had been given the chance to speak last September—as they now will be—when the idea for elections was first proposed by my hon. Friend the Member for Upper Bann (Mr. Trimble), it is likely that the ceasefire would not have collapsed. But people stalled on the electoral process, and the main opposition came from the Dublin Government and the leader of the SDLP, the hon. Member for Foyle (Mr. Hume). They are partly responsible for contributing to a situation in which—regrettably—the ceasefire in the United Kingdom collapsed.

We must not recriminate about the past, and we welcome the Bill that is now before us. We also have Cmnd. 3232. I want to ask the Secretary of State—or the Minister in his reply—to explain and clarify some queries that I and my colleagues have. Paragraph 1 of Cmnd. 3232 deals with the basis for negotiations, and refers to

"relationships within Northern Ireland, within the island of Ireland and between the peoples of these islands".

That is an important phrase. Paragraph 5, which deals with the structure of negotiations and refers to strands 1, 2 and 3, does not say that strand 3 covers the relationship between the peoples of the islands—rather, it restricts strand 3 to being simply relationships between the two Governments.

There is a big difference between the totality of relationships between the peoples of these islands and the narrower issue of the relationship between the British and Irish Governments. I would like some clarification from the Minister that, in the negotiations that will probably take place from 10 June onwards, we will be able to discuss the totality of the relationships between the peoples of these islands, and not simply how the two Governments will co-operate.

Paragraph 3 says:

"Any participant in the strand in question will be free to raise any aspect of the three relationships, including constitutional issues".

I thought that we had been told by the Secretary of State and by the Prime Minister of the Republic of Ireland that the Republic would have no role whatsoever in the internal affairs of Northern Ireland, and would therefore

[Mr. John D. Taylor]

not be participating or involved in the strand 1 talks. What does paragraph 3 mean? It seems to imply that the Dublin Government will have a role—including on constitutional issues—in strand 1. We must have further clarification on that issue, so that my doubts can be pushed to the side.

We in the UUP welcome paragraph 4, which emphasises that both the United Kingdom and southern Irish Governments

"as signatories of the Anglo-Irish Agreement, reaffirm that they would be prepared to consider a new and more broadly based agreement".

We certainly want to see a replacement for the Anglo-Irish Agreement, which today—11 years after its imposition on the people of Northern Ireland—is resented as strongly as it has ever been.

Paragraph 18 deals with the format, and states:

"Negotiations will address all three interlocking sets of relationships as a totality. Negotiations in each of the three interlocking strands will open on the same day and proceed in parallel."

It adds that negotiating sessions in different strands will not be held simultaneously.

Does that mean that, on the first day, all three strands will meet one after the other or at the same time? One set of negotiators for a party can hardly attend three sets of negotiations at the same time. On the first day, will we have a strand 1 meeting from 9 am to coffee time, a strand 2 meeting from coffee time to lunchtime and a strand 3 meeting from lunchtime to afternoon tea time?

Mr. Trimble: And the rest of the day off.

Mr. Taylor: Yes. The first day seems slightly confusing, and we need to have greater clarification.

Paragraph 20 refers to negotiations on strand 2, and states:

"formal meetings will be chaired by an independent Chairperson operating procedural rules, agreed by the participants."

The participants will agree the rules, but who will agree on the independent chairperson? Who will recommend that chairperson? How will he be appointed? Are the Government in a position to suggest a name tonight? We have seen names being suggested in Dublin.

I hope that this matter will be left to the people of Northern Ireland through their elected representatives and negotiators to agree among themselves. But the Minister has a responsibility tonight to define more clearly how that person will be appointed. *[Interruption.]* It could not be Mr. Dick Spring. I just heard hon. Members on the Labour Front Bench recommending him. I have already defined the standing of that honourable gentleman in Northern Ireland, and I do not think that I should expand on that. I could not consider him to be independent.

Mr. Gerald Bermingham (St. Helens, South): The right hon. Gentleman makes a good point. Having read the Bill carefully, I am worried that it does not say how the chairman should be appointed. It should be for the forum to appoint the chairman in a general meeting. The Government might take that on board, because those who participate and negotiate should appoint somebody who is not a member of the United Kingdom Government, the Irish Government or a Member from Northern Ireland. It should be somebody who is totally independent, and who comes to it with a fresh mind.

Mr. Taylor: I very much welcome that contribution. It underlines my point that the procedure is not defined with sufficient clarity. We need a genuinely independent chairman who is respected by the elected representatives within the forum.

Paragraph 22 of Cmnd. 3232 refers, rightly, to the business committee. We need some guidance from the Minister about the size of that committee. Will there be one representative from each of the two Governments and one from each of the political parties, or is some other formula being suggested?

Paragraph 23 is a mistake by the Government, repeating that old and failed formula that nothing is agreed until everything is agreed. That was one of the contributory factors in the collapse of the Brooke all-party talks at Stormont. I regret that one of the reasons for the failure of those talks is being repeated in the Command Paper. I appeal to the Government, even at this late stage, to remove that obstacle to real progress within Northern Ireland.

Paragraph 26 is entitled "Validation". It states that both Governments should

"reaffirm their intention that the outcome of negotiations will be submitted for public approval by referendums in Ireland—North and South".

Can we have confirmation from the Minister that, whether or not there is a referendum in the Republic, the referendum within Northern Ireland will be separate, limited to the people of Northern Ireland and under the legislation of Northern Ireland and the United Kingdom?

Clause 4(5) deals with the issue of there being no court. I realise that that refers specifically to referendums. It says:

"No court shall entertain any proceedings for questioning the numbers as certified by the Chief Electoral Officer for Northern Ireland . . . of any ballot papers counted or answers given in a referendum."

If no court is being allowed to interfere, that will be most unusual, because we have electoral courts in all elections in the United Kingdom. It is very odd that there should be a specific exclusion of the court to overrule the chief electoral officer if people wish to challenge any decisions.

Although the clause refers specifically to the referendum, I trust that there is no suggestion that the electoral court will be prevented from overriding the chief electoral officer in the electoral process to the forum. That would be a serious infringement of normal democratic practices.

Rev. Martin Smyth: Will my right hon. Friend accept that, although the draftsmen deliberately excluded the question of the border referendum at an earlier stage, they may have been thinking that the result of the referendum would be so overwhelming, like that previous referendum, that no court could overturn it? Having said that, I accept my right hon. Friend's point about the electoral process to the forum.

Mr. Taylor: I thank my hon. Friend for that contribution, and for the way in which he has developed the point I was trying to make.

We were promised referendums under the Northern Ireland Constitution Act 1973, and we did have one. However, since the Unionists won, we have not been allowed to have another one. That is the way that democracy has operated in Northern Ireland since 1972. Any time the Unionists win something, it is immediately dropped and some other attempt is made, where it is hoped that the Unionists will not win.

This Bill is yet another example of that. Its whole thrust is to weaken the unity of the Ulster Unionist people. I assure the Secretary of State that, when the election takes place, the Ulster Unionist people will rise up to a man and to a woman, and there will be one of the biggest turnouts in Northern Ireland's electoral history. There will be a strong Unionist and loyalist mandate, because the people will rejoice at this opportunity to speak—and speak loudly they will.

Mr. Bermingham: One of the grounds on which a ballot should be able to be challenged is that of electoral fraud. We all know about voting from the grave—I say that as a born Dubliner—

Mr. Taylor: So you would know.

Mr. Bermingham: Yes, I know it well enough. That is what worries me about the clause.

Mr. Taylor: I certainly know what the hon. Gentleman is talking about. That cannot happen in Northern Ireland, although it still may happen in the Republic. We have strict controls in Northern Ireland; people have to produce one of 10 types of identification document. Some of them include photographs, which is sensible, while others do not, which is not so sensible.

The Government should look again at the whole question of identification on polling day in Northern Ireland elections. Quite often, a married couple will turn up at a polling station. The man has his driving licence, which, in Northern Ireland, carries a photograph, but his wife has forgotten to bring an identification document. So the returning officer tells the wife that she cannot vote, but her husband can—with the result that both of them walk away without voting, because the husband will not vote if his wife is not allowed to. So both votes are lost.

Mr. Beggs: In some parts of Northern Ireland, because of a lack of proper scrutiny within the precincts where voting takes place of those coming in to vote, we cannot be certain that multiple voting by some parties does not take place. Would my right hon. Friend agree with that?

Mr. Taylor: My hon. Friend is correct. The hon. Member for Belfast, West (Dr. Hendron), who is in his place, can confirm what is unfortunately happening in some parts of his constituency.

Clause 5 includes the interesting term "nominating representative". It is said that that means

"the person who . . . appears to the Secretary of State to be the leader of the party".

So it is not up to members of a party to decide who is their leader; it is the Secretary of State who will decide.

It was the hon. Member for Islington, North (Mr. Corbyn) who said that the electoral system proposed in this Bill exists nowhere else in the world. First, parties have to be named, and then the Secretary of State decides which ones he will allow to fight the election. There is a rumour in Northern Ireland that President Yeltsin is looking closely at this legislation and is encouraged by it.

I think that the "nominating representative" phraseology has to do with internal Conservative party politics. It is designed to overcome divisions in the Conservative party. That party in Northern Ireland wants to fight the election on a policy opposed to what the Secretary of State stands for. So the Secretary of State is presenting one policy, while Conservative candidates in Northern Ireland present a different one. We therefore do not know who will speak for the Conservatives.

So how do the Government propose to get around this problem? They will let the Conservative party compete in the election, but once it is over, the Secretary of State will decide who will represent the winning Conservative candidates. He will select himself as the possible leader of Conservative members.

Clause 5(1) refers to

"the person who . . . appears to the Secretary of State to be the leader of the party or otherwise the most appropriate person to act on behalf of the party for the purposes of this Act."

Who does the Secretary of State have in mind as "the most appropriate person" to act for the Conservative party? I suspect that it will not be any Conservative who is elected in Northern Ireland, but that the Secretary of State would prefer to be "the appropriate person".

Rev. Ian Paisley: Surely the right hon. Gentleman is aware that the paper given to us in discussion stated that the chairman of the Conservative party was placed to be the leader. When the right hon. Member for Peterborough (Dr. Mawhinney) became the chairman of the Conservative party, we were told that he was the most appropriate person. When I spoke to him today, he said, "They will be able to stand because I will accredit them, but they will not be allowed to negotiate."

Mr. Taylor: This is another one for President Yeltsin. People will be allowed to stand in an election but, once they win, they will not be allowed to participate in the negotiations. The Government must end that scandal, and amend the Bill. There is no way in which we can rig electoral systems in Northern Ireland in such a manner.

Rev. Martin Smyth: I appreciate my right hon. Friend's point, but perhaps he is being uncharacteristically judgmental. It may not be a campaign to "dump the doctor", but some of the strange parties that have been brought into existence may not know their leaders. It would be up to the Secretary of State to appoint that person.

Mr. Taylor: The point is well made. We are beginning to see the contradictions in the Bill.

Clause 6 provides for the payment of allowances and the Secretary of State's expenses. Obviously allowances will have to be paid to elected persons, because they are not being elected as parliamentarians, district councillors or members of an assembly. We certainly hope that the people elected will contribute to thoughtful negotiations with skill and ability, and they may come from industry, the professions, or the business or academic world. We hope to attract good-quality candidates who are interested in constitutional issues, not routine parliamentary or district council matters such as the needs of individual constituents.

[Mr. Taylor]

The persons who are elected will have to give up some of their regular work, not to enter a lengthy parliamentary career but for one year—or two years at most. I hope that the Minister will give some guidance on the likely allowances for persons elected to the forum and the negotiating bodies.

We are entering the pre-nomination day period and time is short. The Bill is moving quickly through the House this week and next, and perhaps the Minister can give the date of nomination day. We have heard when the all-party talks will begin and know the date of the election, but I do not recall hearing the date for nomination day. I suspect that, when we know, we will all be shocked at how little time we have to select candidates and complete nomination papers.

Mr. Barnes: I wonder whether the right hon. Gentleman has considered the persons who may stand as candidates. Schedule 1 makes provision for disqualifying certain persons, but it does not state which persons will qualify to stand as candidates. As a candidate can be anyone appointed by the leader of any of the 33 parties, theoretically it would be possible for a Teachta Dála from Dublin, myself or any other hon. Member to be nominated. An amendment is required to stop that happening, and I have just submitted it.

Mr. Taylor: That is a very good point, and no doubt the Minister has heard it and will respond. I trust that the reply will be that candidates must be on the electoral register in Northern Ireland, but we will have to wait and see what he says.

Paragraph 4 of schedule 1 concerns the franchise, which I mentioned in an earlier intervention. I still cannot understand why an election that is based on parliamentary constituencies does not use the criteria for the parliamentary franchise as its basis. According to this system, the election will be based on Westminster constituencies, but we will ignore the Westminster electoral roll and instead use the district council electoral roll. That seems to be a rather peculiar decision, and I should like to know the explanation for it.

Paragraph 5 of schedule 1 is about parties and party lists. Paragraph 6(6) states:

"A party's regional list must include at least two candidates who are not on a constituency list for the party."

There must, again, be some explanation for that peculiar qualification, and I should like to know the Minister's reasoning for including that restriction.

The list of parties in part II of schedule 1 makes very interesting reading, and one could make much play out of it. I shall simply ask the Minister to tell the House how many members there are in the British Ulster Unionist party, how many members there are in the No Going Back party, and when he first heard of those parties. How many members are in the Northern Ireland party—whatever that is—and how many members are in the Northern Ireland Women's Coalition? We require further information on those political parties.

We then come to paragraph 2 of schedule 2, which concerns meetings. Paragraph 2(1) states:

"The first meeting of the forum shall be at a time decided by the Secretary of State."

On the first day, on 10 June, we will have negotiating meetings straight away—strands 1, 2 and 3—but there is no suggestion when the forum might meet. It might meet this Christmas. We require clarification on why no specific date has been stated for the forum. I should have thought that the obvious answer would be for the forum to meet on the first day and for other things to follow from that.

The very last point, paragraph 6 of schedule 2—"Miscellaneous"—states:

"The Secretary of State shall provide for the forum the services of such staff, the use of such premises and such other facilities as he thinks appropriate."

The Secretary of State has told us in this Bill that the negotiating teams will meet at Stormont castle grounds, but he has not told us where the forum will meet. We have heard mention of it going all around the British Isles, but I should like the Government to tell us today where the forum will meet, and to confirm that they have thought this one out and chosen a permanent location for this new Northern Ireland forum for the next two years.

There is a great challenge to all political parties in Northern Ireland—nationalist and Unionist—to practise what they have claimed for so many years. We have had 25 years of violence, and we now have a great opportunity to bring about a negotiated agreement in Northern Ireland that will provide peace, reconciliation and the enjoyment and fulfilment of life for all our people on the basis of consent and the total and absolute rejection of violence. It is an opportunity that should not be missed.

For members of the Ulster Unionist party, this opportunity will secure Northern Ireland in the United Kingdom, and will create the conditions in which Catholics and Protestants, Unionists and nationalists, can work together in the administration and good government of Northern Ireland. It will also create the basis for an enhanced relationship between Dublin and Belfast, a development that is much more logical now, 23 years after we joined the European Union.

We in the Ulster Unionist party will oppose the Bill tonight, for the reasons given by other hon. Members. Conservative Members have condemned some aspects of the Bill. Labour Members have criticised it. The Social Democratic and Labour party and the Democratic Unionist party have criticised it. Our challenge goes out to all those who joined with us in criticising the Bill to join us in the Lobby to register our opposition to the Government. However, I emphasise that we in the Ulster Unionist party will be fighting this election. We welcome it, and we ask the people of Northern Ireland to give us a strong mandate, so that we can secure Northern Ireland for generations to come.

9.20 pm

Mr. Tony Worthington (Clydebank and Milngavie): I find it difficult to follow the right hon. Member for Strangford (Mr. Taylor). He intends to vote against the Bill and rely on the rest of us to vote for it so that he can take part in the elections. I promise him that we shall fulfil his intentions.

Until the moment when he said that he intended to vote against the Bill, I thought that there was a great deal of value in the speech of the right hon. Member for Strangford. He raised many of the serious issues in relation to the Bill, which we shall tackle in Committee.

I shall not repeat the points that he made, but he gave a masterly analysis of some of the major points that are in the Bill.

I couple my party with the sentiments of all those who expressed their sadness at the illness of the hon. Member for Newry and Armagh (Mr. Mallon). We have missed his powerful contribution tonight. We ask those who go to see him in hospital—we hope that it will be a short stay—to convey our good wishes for a speedy recovery. Even if one does not agree with him, he is one of those Members of Parliament whose integrity is appreciated across the House.

The issue tonight is not whether we would start from here. We have to start from here. There is no alternative if we want all-party talks on 10 June. There is little point in talking about the past or how we arrived here. The only way in which we can have all-party talks on 10 June is through the Bill. There is no alternative. That is the central issue. Do we vote for the Bill and have all-party talks on 10 June or vote against it with the clear implication that we do not want all-party talks on 10 June? We may want them at some other time, but it would not be so early as 10 June. That is why we shall support the Bill tonight, although we could add—I may do so myself—to the problems in the Bill.

No one could pretend that the route to the talks has been easy, logical, rational or straightforward, but we are now in a position to open the door to talks through the Bill. We see no point in being critical of past mistakes or wrong turnings. The Mitchell report contains many wise words. One sentence says:

"If the focus remains on the past, the past will become the future."

Those are the words that stick with me. The right hon. Member for Strangford said that there was an opportunity here and that we must put aside the past. That is why, although there have been some recriminations in the debate today, the Opposition's approach rejects recriminations.

We are pleased that in recent weeks the procedures covered by the Bill and the Command Paper have moved in directions of which we have approved. We urge that Mitchell's six principles should be placed on the table at the start of the talks and signed up to by all the participants. Subscribers to peace and democracy will be able to sign up to those principles. The Mitchell report has not been dumped or binned, as was alleged. Those who allege that it has been binned will have most difficulty in facing up to the Mitchell principles. I should like to see them face up to that challenge. We urged that Mitchell's approach to decommissioning should be embraced and followed, and all those who are genuine about abandoning violence will be able to accept that.

We urged the British and Irish Governments to get back together and to act in concert because the peace process moves forward only when that happens. In recent weeks, as the right hon. Member for Strangford pointed out, it has seemed that the two Governments have genuinely worked together in a sense of partnership.

We urged that the electoral process chosen should ensure that the smaller parties—such as the Progressive Unionist party and Ulster Democratic party, which have links with important constituencies—have a place at the negotiating table. The Government have given them that opportunity. That has led to some problems in the electoral process, but we applaud the fact that those parties will have the opportunity to attend the talks. The smaller parties will not have a guaranteed right because they will have to come into the top 10, but they will have the opportunity to be at the talks.

We urged that the whole package should be laid out, not just the Bill for the election process but the ground rules, which are now Cmnd. 3232. We thought that it was important that people should be able to judge the whole scene rather than not know what they were getting into. That has happened.

We urged that the talks and the forum should be separated and that the forum should lose all the connotations of previous majoritarian assemblies. We have moved a long way towards that aim. The forum will be deliberative only and will have no legislative, executive or administrative functions. We believe that the forum could be valuable for building consensus, but that will depend on appropriate rules of procedure. I shall return to that point.

Substantial work remains to be done in Committee. Real progress can be made in Committee, although there is a timetable because the talks must occur on 10 June. The biggest single contribution to the success of 10 June can be made by the IRA with an unequivocal restoration of the ceasefire. It is overwhelmingly clear that that is what the overwhelming majority of the people of Northern Ireland, of the Republic and of the United Kingdom want. The IRA has no mandate whatever from anyone for bombing. It is also important that Sinn Fein is at those talks, although progress could be made without it. Sinn Fein and the IRA have what they have always demanded—a date for all-party talks and a comprehensive agenda. There is no excuse for them not to restore the ceasefire, and they must do that. They must also embrace the Mitchell principles, which present no problems to any democratic party or to other nationalists.

In Committee, a number of issues must be addressed. Many hon. Members have commented on the details of the Bill, but I shall not deal with those now. I am sure that the Minister will wish to refer to some of those comments, but he will shortly have two full days in which to respond.

The Government will want to explain to us the principles on which they have constructed the list of parties. That subject is one of those that has caused most concern, because it seems a little arbitrary to say that there will be a list of parties, some people protest and the Government add more parties. That approach will lead to considerable problems, especially when one bears in mind the independents on the list, but if the House and the members of different parties work together in Committee, we could tidy up the Bill considerably. Suggestions have been made for assenters, deposits or other mechanisms that could be used to solve the problem.

We also have the incongruity that some people will be allowed to put their names on the ballot paper, but others will not. I look forward with keen anticipation to dealing with those issues on Monday and Tuesday.

The major issue that confronts us now is the role of the forum and its style of operation. As we heard from the hon. Member for South Down (Mr. McGrady), the nationalist community has great difficulty, to put it mildly, in envisaging a role for the forum that adds anything to the talks or to the search for a settlement. It will not take part in anything that has elements of

[Mr. Tony Worthington]

Stormont. A body in which people shout or abuse one another will do nothing to build trust, reconciliation and consensus.

During the debate, some hon. Members asked how the House could be against the forum, but if we consider how we conduct our business it is clear that this is not a successful place for constructing consensus. Recently, we have had some success with a dribble of Conservative Members crossing the Floor, but it may take a few more months before they all cross. My hon. Friend the Member for Glasgow, Garscadden (Mr. Dewar), the Chief Whip, is here and I know that he is optimistic about that.

When we want to construct a consensus, we use the Select Committees. Their culture involves an expectation that the members of the Committee, despite coming from different parties and having different views, will try to construct a consensus. That is what the forum is about. There is a role for a forum with terms of reference and procedures that would make it act in the style of a Select Committee.

Mr. Trimble: I am delighted by the hon. Gentleman's points. I take it that he will endorse our suggestion, which we have made regularly in recent months, that the forum should conduct itself analogously to Select Committees by forming committees to take evidence and make factual inquiries on matters relevant to the negotiations to assist the negotiators. Will he join our request to the Government that the committees of the forum should have the powers of Select Committees to summon persons and papers? Those powers would be exercised only to extract information from the Northern Ireland Office that it is jealously refusing to provide.

Mr. Worthington: I find myself agreeing with the hon. Gentleman to a disturbing degree. There is much sense in what he says but he also knows that there is an issue about the rules of procedure. We can construct rules of procedure, such as those that apply in this place, where we normally vote at 10 pm, but that is not a way to construct consensus. There are other rules of procedure whereby the dominant ethos would be the construction of consensus. For the success of the forum, we want—and this will be our challenge in the work that lies ahead—to make sure that its rules and procedures are right. We should be talking not the language of votes and adversarial debate but that of constructing common ground.

Rev. Ian Paisley: The last assembly in Northern Ireland proceeded in the way that the hon. Gentleman describes, with all the parties co-operating in Select Committee fashion to try to reach a consensus on various matters. Surely those rules of procedure, which were tried and have been proved to succeed, would be a good basis for the rules of the forum.

Mr. Worthington: I have to bow to the hon. Gentleman in respect of his knowledge of that time, but I agree with his words and hope that it will be possible to construct rules of procedure that lead to the construction of a consensus.

The forum, with the right rules of procedure, could diminish the most important problem—the absence of trust—and could start the decommissioning of mindsets that Mitchell sought. The rules of procedure therefore cannot be about majorities and minorities. They must be about constructing whole communities and about the construction of dialogue, understanding and consensus across the communities.

I note that the Secretary of State has to approve the rules of procedure of the forum as drawn up by the forum. In Committee, I hope that he will be willing to consider amendments that seek to make it clear that those rules must be constructed with a view to securing assent across the community. I also note that, in reality, the Secretary of State has to construct the first set of rules of procedure for the forum so that it can meet, because without such rules how can the forum come into existence?

Other hon. Members have drawn a parallel with paragraph 24 of the Command Paper, which says of the all-party talks:

"The negotiations will operate on the basis of consensus . . . The rules for establishing sufficient consensus will be agreed in advance of negotiations by the participants".

We would like that spirit to suffuse the rules of procedure for the forum itself so that it is clear that any decision taken is taken by a clear majority in both the nationalist and Unionist communities in Northern Ireland.

Mr. Trimble: I thank the hon. Gentleman for giving way and I apologise for intervening again. Has he considered the effect of the weighted majority provision, which necessarily means, in view of the likely result of the election, that the rules of procedure will be agreed only if assented to by nationalists, or some nationalists at any event, if they take their place at the forum and participate in it? Because it will be necessary to have the assent of some nationalists in order to achieve the 75 per cent. weighted majority, it will inevitably follow that the rules of procedure will contain the element of consensus to which he refers.

Mr. Worthington: As a first basis, one should not say that one is constructing a 75:25 per cent. majority; rather one should be seeking consensus. The great danger is that if one says that the policy is based on that 75:25 per cent., no one will bother to do the hard work that is necessary to construct a consensus. We must do just that.

The Opposition will vote for the Bill, with all its flaws and illogicalities, because it is now the only way in which all-party talks can start on 10 June. It is the only way in which there is hope of the restoration of the ceasefire. We will also vote for it because we are convinced that the people of Northern Ireland want us politicians to rise to the occasion and to take risks for peace. That is the inevitable aim behind the Bill.

I refer again to the remarks of George Mitchell, who spoke about the consensus that existed for peace. He said that members of both traditions may be less far apart on the resolution of their differences than they believe. We must open the door to all-party talks. The Bill provides the key to those talks and that is why we will support it.

9.37 pm

The Minister of State, Northern Ireland Office (Mr. Michael Ancram): I thank the hon. Member for Clydebank and Milngavie (Mr. Worthington) for his support for the Bill. I also thank Her Majesty's Opposition for the bipartisan approach that they have

adopted to this part of policy on Northern Ireland. We all appreciate that when we are dealing with sensitive matters of this kind, the co-operation that we have managed to achieve on that basis has not only been useful in terms of making progress, but has been valued by the community of Northern Ireland.

I start, as others have, by sending through the hon. Member for South Down (Mr. McGrady) my best wishes and the best wishes of my party to the hon. Member for Newry and Armagh (Mr. Mallon). We wish him a speedy recovery. Everyone in the House values his contributions, and although we valued that from the hon. Member for South Down tonight, it was not quite the same, if I may say so, as that of the hon. Member for Newry and Armagh. I hope that the hon. Member for South Down will pass on the message that we have a great deal of respect and admiration for his hon. Friend, provided that that does not ruin his political reputation in Northern Ireland.

We have had a constructive debate and I have found a lot from which to draw optimism, particularly the fact that despite the inevitable criticism about the detail of the legislation, every party spokesman has underlined his support for the concept of all-party negotiations leading to agreement and settlement. I believe that that bodes well for the process on which we are launching ourselves at the moment.

The debate has been conducted in a serious manner and that fact has sent a message to the men of violence. It has told them that we will not allow violence to detract or distract us from the path of democracy and that no amount of bombing, shooting, punishment beatings, et cetera, will divert hon. Members of the House from pursuing what they believe to be democratically right.

We have had a detailed debate, which I suspect is a good foretaste of the Committee stage. I hope that hon. Members will forgive me if I do not deal with every detailed question that has been asked as I am certain that some of them will be asked again on Monday and Tuesday next week and I shall have a chance to deal with them then. I will pick up on two points, however, partly because they interested me in the way that they were posed.

The first was the question that was asked of my right hon. and learned Friend the Secretary of State by the right hon. Member for Strangford (Mr. Taylor) about the reasons for going for the local government franchise rather than a parliamentary franchise. The real difference is that under the parliamentary franchise those from overseas can vote, Peers cannot vote and European citizens cannot vote. Under the local government franchise, Peers can vote—there are nine Peers who will be affected in this way and I believe that they have the right to have a say in the future of Northern Ireland—and European citizens can vote, but those from overseas cannot vote. I am sure that the right hon. Gentleman would wish to know that as of 29 November 1995 the number of those on the parliamentary franchise was 1,169,423 and that the number of those on the local government franchise was 1,169,353—a difference of 70. I am not sure that that will make a significant difference.

Mr. John D. Taylor: Who are they?

Mr. Ancram: We may have to ask them to carry the identity cards that the right hon. Gentleman talked about. He also referred to the Ulster clause—the clause on which I did not allow the court to intervene. There are Ulster precedents. He said that this seemed to be something totally new and anti-democratic, but I point him to the Referendum Act 1975, section 4; the Scotland Act 1978, schedule 17, paragraph 10; and the Wales Act 1978, schedule 12, paragraph 11. In each of those Acts he will find a precedent.

Mr. Taylor: I know that that specifically referred to the referendum. I wanted an assurance that the electoral court could operate on all other aspects of the election.

Mr. Ancram: The Ulster clause is carefully defined and limited, and I believe that the right hon. Gentleman will find that to be the case.

The hon. Member for Redcar (Ms Mowlam) raised a number of issues and I shall try to deal with them. She made the point about the importance of encouraging the participation of women in the political process in Northern Ireland, which was repeated by the hon. Member for Dagenham (Ms Church). I warmly endorse that sentiment. The political process would benefit from the greater involvement of women. We have included the Northern Ireland Women's Coalition in the list of parties and we are considering what other measures may be possible. I join the hon. Member for Redcar in encouraging the parties to make efforts to secure the greater participation of women and I am sure that they will have a significant role to play in the forum.

The hon. Lady also asked whether there was an appeal mechanism in relation to parties. We have sought to have an inclusive process and we have made considerable efforts to consult in this regard. We extended our list substantially in the light of consultation, taking into account all the representations that we received. Parties that were anxious to participate but were not on our first list had an opportunity to make their views known.

At this stage, it would be impractical to have an appeal mechanism in the Bill because there simply is no time to deal with late applications. However, it would be wrong for me to rule out absolutely any changes to the list because we have the Committee stage of the Bill to come and names could be included at that time. As I have said, there is no time to have a full appeal mechanism.

The hon. Member for Redcar and others asked about clause 7 and the power to revive the forum when it was suspended. The hon. Lady asked me to confirm that the power would not be used when negotiations had ceased or were in suspension. We have always envisaged that negotiations and the forum would run in parallel. The Secretary of State would not, therefore, propose to revive the forum while negotiations were not in progress. If the forum has ceased because, for instance, negotiations have been suspended, and then the negotiations begin again, the forum can be brought back into operation. There is power for that.

The hon. Member for Redcar and the right hon. Member for Strangford asked about the timing of the first meeting of the forum. That is for later consideration. We shall want to take views into account, and I am sure that views will be forthcoming. At this stage we do not envisage a meeting of the forum before 10 June.

The hon. Member for Redcar asked also about the exercise of discretionary powers under the Bill. The Secretary of State would hope to use those powers in a

[Mr. Ancram]

spirit of consultation and in pursuit of general acceptance where possible. On some questions, such as the identity of nominating representatives, we have consulted already in the formal paper.

The hon. Member for Upper Bann (Mr. Trimble) referred, first, to party descriptions. I believe that he referred to bogus parties. The consultation paper asked for the names of parties and stated that these would be set out on the ballot paper. We received a number of representations setting out how parties wanted their parties to be described, including those from the hon. Gentleman. It is not for us to decide which party is bogus. I say with some justification that Northern Ireland has some experience of new parties and new combinations of initials, as the hon. Gentleman will be aware. The people of Northern Ireland have always shown remarkable good common sense in distinguishing those parties at the ballot box.

I have heard several representations today about deposits. We shall want to receive further representations, and I suspect that they will be made in Committee.

The hon. Member for Upper Bann asked about the ground rules and wanted to know whether they were set in concrete. I know that this is a matter of concern to him. We published a consultation document on the rules on 15 March and we have undertaken detailed consultations with the principal parties on that paper since then. I believe that the hon. Gentleman will recognise that the Command Paper reflects a number of changes as a result of the consultations. It now represents, as it says,

"the best judgment of the two Governments on the most suitable and broadly acceptable ground rules for the . . . negotiations . . . on 10 June".

It is important to read the Command Paper. It makes it clear that the negotiators are the masters of their own process. There is nothing to prevent the negotiators, by agreement and consensus, agreeing to operate under different rules of procedure. That has always been so in the way in which these negotiations have proceeded. In the absence of such agreement, I believe that the ground rules should govern the negotiations starting on 10 June.

My hon. Friend the Member for Basingstoke (Mr. Hunter) rightly said, in his helpful contribution, that the process should be capable of continuing without Sinn Fein if Sinn Fein did not requalify to take part in the process. It is vital—it is common ground between ourselves and the Irish Government—that whatever happens in terms of Sinn Fein becoming part of the process again and the restoration of the ceasefire, if Sinn Fein is not able to become part of that process it cannot be allowed to prevent the process proceeding. Certainly the process will continue. That will happen because it is a democratic process. As I have said, democracy cannot be allowed to be subjected to the whims of violent men.

Mr. Maginnis: The Minister says that he has agreed with the Irish Government that no impediment should be allowed to be placed by Sinn Fein to prevent the talks progressing. Has he received a substantive assurance from the Irish Government that they would take specific steps to inhibit Sinn Fein's activity, should that activity escalate to the detriment of the safety of society in Northern Ireland?

Mr. Ancram: As the hon. Gentleman knows, I am not the Minister responsible for security, but the Minister of State, Northern Ireland Office, my right hon. Friend the Member for Westminster, North (Sir J. Wheeler), is sitting beside me and I am sure that he has heard what the hon. Gentleman has had to say. But the corollary of saying that violence cannot be allowed to prevail in terms of the democratic process is that where there is such violence it is dealt with.

Mr. Maginnis: I am grateful to the Minister for giving way once again, but he cannot pass the burden on to his right hon. Friend on an issue that is central to the chances of success of the negotiating process. I expect a fuller answer than he has given to date.

Mr. Ancram: I can only say that I have every confidence that in the circumstances to which the hon. Gentleman refers, the Irish Government would be as conscientious in the pursuit of those acts of violence as we ourselves would be. It is a part of the democratic process that violence cannot be allowed to intervene in the proper working of that process.

My hon. Friend the Member for Basingstoke referred to the electoral method as a duck-billed platypus. I am not certain that I can accept that. He went on to say that it was essentially functional. I am told that the duck-billed platypus was not necessarily the most functional of beasts. However, I think that my hon. Friend is right to say that the purpose of the rather strange type of election that we have before us, and on which we have heard many differing comments, is that it is a unique system for a unique and one-off purpose, and we believe that it will achieve that purpose.

The hon. Member for Upper Bann raised again the question of paragraphs 13 and 14 of the ground rules paper which refer to the opening session—if I can call it that—of the negotiations. He made clear again his view of the need to have discussions on the procedures in relation to the addressing of the Mitchell proposals on decommissioning so that those were clear before 10 June. We share that view and we see the need for urgent consultation on the ways of addressing those proposals and a clear idea of the procedures that will take them forward. That is something that we shall be pursuing.

The hon. Member for North Antrim (Rev. Ian Paisley) made a number of points. He made some fairly amusing points about the Conservative party in Northern Ireland and they were reflected later by the right hon. Member for Strangford. I can inform him that the Minister without Portfolio, my right hon. Friend the Member for Peterborough (Dr. Mawhinney), will be meeting representatives of the Conservative party Northern Ireland area council in the next few days to discuss the elections and it would be wrong of me before those discussions have taken place to make any further announcements.

I believe that we all share the horror of the hon. Member for North Antrim at some of the actions of violence that we have seen recently in Northern Ireland. They put into perspective the whole question of what is an exclusive commitment to peaceful methods. That is very much in our minds at this moment.

The hon. Member for North Antrim asked where the commitment to the six Mitchell principles would come in. I make it clear that they will come in at the beginning in the

sense that nothing else could happen before the total and absolute commitment to the six Mitchell principles has taken place.

The hon. Member for Falkirk, West (Mr. Canavan) made a number of points. In particular, he raised the question of paragraph 24 of the Command Paper and what is meant by consensus. All I can say to him is that that paragraph also indicates that it is for the parties to decide how that will operate. It is not for me to pre-empt the consultations and decisions that participants will make in relation to that.

My hon. Friend the Member for Spelthorne (Mr. Wilshire) raised a number of other important points. He spoke about the referendums in Ireland, north and south, and asked whether this was an all-Ireland referendum. The words themselves in paragraph 26 make it clear that both Governments reaffirm their intention that the referendums will take place under the jurisdiction of each Government respectively. If there are to be changes in the Irish constitution, which are likely as a result of any agreement, there would have to be a referendum in the Republic, as I understand it, in order to achieve that. With regard to our referendum being under our legislation, I can give my hon. Friend the comfort that the legislation for that referendum is included in the legislation that we are considering.

Mr. Wilshire: Can my right hon. Friend therefore once again confirm that the wording in no way suggests a watering down of the commitment to have a referendum in Northern Ireland and that a majority of the people of Northern Ireland alone must approve that as well as anything else?

Mr. Ancram: I can give my hon. Friend that commitment not only in my own terms but in terms that the Prime Minister has made clear on a number of occasions. I can give my hon. Friend that commitment completely.

I refer briefly to the speech of the hon. Member for South Down. I listened very carefully to what he had to say. I think that he is a little unfair about the forum. I hope that he will reconsider some of what he said, because he has heard hon. Members on both sides of the House talking—perhaps to his surprise—about the value of a forum, which could give a form of public ownership to the wider public in Northern Ireland and allow them, as my right hon. and learned Friend said, the chance to come forward and make their views known.

I say to the hon. Gentleman in all friendliness that he must have had a wry smile on his face when he said that we had been pursuing a Unionist-led agenda, as he will have heard the right hon. Member for Strangford, who is sitting behind him, say that the whole process had been selling out the Unionist parties. If the hon. Gentleman reconsiders, he will probably find that the balance that we have struck is reasonably good.

Mr. McGrady: The Minister suggested that the forum's sole purpose should be to garner the opinions of the people of Northern Ireland. There is nothing whatever to prevent that from being done by a negotiating team without a forum being present. Did he hear some of the remarks made tonight? The suggestion was that we have sub-committees paralleling the Northern Ireland Departments, which is an embryonic assembly in the being. That is the reality of the situation.

Mr. Ancram: I heard many comments on both sides of the House. I am interested in the way in which the forum will operate. I certainly believe that we are setting up a structure through which we can open up to a wider public—out and beyond the politicians who normally exercise it privately among themselves—much of the dialogue and understanding in Northern Ireland. I believe that the exercise of that within the forum will prove of benefit.

There are many other points that I would like to have dealt with, and I apologise to hon. Members if I did not reach them, including the detailed points made by the right hon. Member for Strangford. I am certain that he will make some of them in Committee. If he does not, I can assure him that I will get him answers to each of the points that he made.

The fullness of the debate shows the importance of the Bill and the context within which it is before the House. The implications run far wider than the details that are on the face of the Bill, which is before the House urgently because it provides the opening to what I believe is the common aim of all parties in Northern Ireland and the House, and a common desire throughout all parts of the community in Northern Ireland, to see the start, on 10 June, of genuine, comprehensive and inclusive negotiations that are based on democratic principles, with the objective of securing a broadly acceptable settlement for the future of the Province and at the same time create a forum in which dialogue and understanding in Northern Ireland can be promoted to best effect.

The Bill in itself cannot achieve those objectives, but it opens the way to the processes by which they can be achieved. It gives the people of Northern Ireland a direct contribution in providing the mandate and the key to make those processes possible. The objectives can be achieved with the good will and determination of all who will be involved in the process. The Bill does not give everyone what they wanted, but it provides the chance and the opening if all participants are prepared to face the challenges and demonstrate the good will and courage of leadership that a successful outcome so badly requires.

Sometimes history faces us with difficult challenges, and this is one of them, but how we respond dictates how we will be judged at the bar of history. I believe that if we pass the Bill, we can show that we have the courage to spit in the face of the bullet and the bomb, and proclaim the supremacy of democratic principles over the men of violence. We can say to them, as was said by the President of the United States, "Your day is over." We can show the political courage to lead by accepting that dialogue must involve some movement on all sides, however difficult that might be. We can do that by demonstrating tonight the courage to endorse this opening to negotiations and to promote the dialogue and understanding which alone can underpin the agreement that we all seek.

It is with confidence that I ask the House to support the Bill tonight.

Question put, That the amendment be made:—

The House divided: Ayes 7, Noes 154.

Division No. 100] **[10.00 pm**

AYES

Beggs, Roy
Maginnis, Ken
Molyneaux, Rt Hon Sir James
Paisley, The Reverend Ian
Robinson, Peter *(Belfast E)*
Taylor, Rt Hon John D *(Strgfd)*
Trimble, David

Tellers for the Ayes:
Mr. William Ross and
Rev. Martin Smyth.

NOES

Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Ancram, Rt Hon Michael
Anderson, Ms Janet *(Ros'dale)*
Arnold, Jacques *(Gravesham)*
Banks, Tony
Barnes, Harry
Bates, Michael
Battle, John
Beckett, Rt Hon Margaret
Bell, Stuart
Bellingham, Henry
Bermingham, Gerald
Betts, Clive
Blunkett, David
Bowden, Sir Andrew
Bowis, John
Brandreth, Gyles
Brown, N *(N'c'tle upon Tyne E)*
Browning, Mrs Angela
Burns, Simon
Burt, Alistair
Byers, Stephen
Carlisle, John *(Luton North)*
Carrington, Matthew
Church, Judith
Clarke, Tom *(Monklands W)*
Clwyd, Mrs Ann
Coffey, Ann
Congdon, David
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cox, Tom
Cran, James
Cummings, John
Davies, Bryan *(Oldham C'tral)*
Davis, Terry *(B'ham, H'dge Hl)*
Denham, John
Dewar, Donald
Dobson, Frank
Dover, Den
Dowd, Jim
Dunn, Bob
Dykes, Hugh
Evans, Nigel *(Ribble Valley)*
Fabricant, Michael
Fenner, Dame Peggy
Forman, Nigel
Forth, Eric
Fox, Dr Liam *(Woodspring)*
Fox, Rt Hon Sir Marcus *(Shipley)*
French, Douglas
Gallie, Phil
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Greenway, Harry *(Ealing N)*
Griffiths, Peter *(Portsmouth, N)*
Griffiths, Win *(Bridgend)*
Hain, Peter
Hanley, Rt Hon Jeremy
Harman, Ms Harriet
Harris, David
Haselhurst, Sir Alan
Heald, Oliver
Heseltine, Rt Hon Michael
Hoon, Geoffrey
Howarth, Alan *(Strat'rd-on-A)*
Howarth, George *(Knowsley North)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Hutton, John
Illsley, Eric
Ingram, Adam
Jenkin, Bernard
Johnson Smith, Sir Geoffrey
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Robert B *(W Hertfdshr)*
Jowell, Tessa
Keen, Alan
Kennedy, Jane *(L'pool Br'dg'n)*
King, Rt Hon Tom
Knapman, Roger
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lawrence, Sir Ivan
Leigh, Edward
Lidington, David
Livingstone, Ken
Lloyd, Tony *(Stretford)*
McAvoy, Thomas
MacKay, Andrew
Malone, Gerald
Marek, Dr John
Martin, David *(Portsmouth S)*
Martlew, Eric
Mayhew, Rt Hon Sir Patrick
Meale, Alan
Mellor, Rt Hon David
Merchant, Piers
Michael, Alun
Mills, Iain
Mitchell, Andrew *(Gedling)*
Morley, Elliot
Morris, Estelle *(B'ham Yardley)*
Mowlam, Marjorie
Mudie, George
Murphy, Paul
Nelson, Anthony
Neubert, Sir Michael
O'Brien, Mike *(N W'kshire)*
Ottaway, Richard
Paice, James
Pope, Greg
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Prentice, Bridget *(Lew'm E)*
Raynsford, Nick
Shaw, David *(Dover)*
Short, Clare
Smith, Chris *(Is'ton S & F'sbury)*
Soley, Clive
Spearing, Nigel
Spencer, Sir Derek
Spink, Dr Robert
Stanley, Rt Hon Sir John
Straw, Jack
Streeter, Gary
Thompson, Patrick *(Norwich N)*
Timms, Stephen
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Trend, Michael
Twinn, Dr Ian
Walker, Rt Hon Sir Harold
Waller, Gary
Walley, Joan
Watson, Mike
Wells, Bowen
Wheeler, Rt Hon Sir John
Whittingdale, John
Wicks, Malcolm
Widdecombe, Ann
Williams, Alan W. (Carmarthen)
Wilshire, David
Wolfson, Mark
Worthington, Tony

Tellers for the Noes:
Mr. Timothy Wood and
Mr. Derek Conway.

Question accordingly negatived.

Main Question put forthwith, pursuant to Standing Order No. 60 (Amendment on Second or Third Reading), and agreed to.

Bill accordingly read a Second time.

Motion made, and Question put forthwith, pursuant to Standing Order No. 61 (Committal of Bills),

That the Bill be committed to a Committee of the whole House.—*[Mr. Wells.]*

Question agreed to.

Committee tomorrow.

NORTHERN IRELAND (ENTRY TO NEGOTIATIONS, ETC) BILL [*MONEY*]

Queen's recommendation having been signified—

Motion made, and Question put forthwith, pursuant to Standing Order No. 50A(1)(a),

That, for the purposes of any Act resulting from the Northern Ireland (Entry to Negotiations, etc) Bill, it is expedient to authorise the payment out of money provided by Parliament of any expenses incurred by the Secretary of State in connection with elections, or otherwise by virtue of the Act.—*[Mr. Wells.]*

Question agreed to.

PETITION

Anti-personnel Mines

10.11 pm

Mr. Robert Ainsworth (Coventry, North–East): I beg leave to present a petition from the residents of Coventry which declares that

the Lord Mayor, the City Council and the citizens of Coventry are appalled by the increasing and uncontrolled use of anti-personnel mines; the apparent indifference of manufacturers to the carnage and the rejection of responsibility by Governments.

The petitioners therefore request that the House of Commons call upon all governments to renounce the use, manufacture and export of anti-personnel mines; and to accept responsibility for the clearance and safe destruction of these weapons worldwide; and that the House of Commons will call upon the Government of the United Kingdom to take a lead and support all efforts at the United Nations to bring this about.

The petition has my support, and that of the Labour and Tory groups on the city council and more than 3,000 residents of Coventry.

To lie upon the Table.

Commonwealth Institute

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Wells.]*

10.12 pm

Mr. Cyril D. Townsend (Bexleyheath): I am grateful for the opportunity to bring before the House the serious funding problems of the Commonwealth Institute, which was established by an Act of Parliament. A number of Commonwealth countries contributed substantially to the cost of its specially designed building in Kensington, prior to its opening back in 1962. To some extent, the institute is an international entity.

In an Adjournment debate on the Commonwealth on 31 March 1994, I told the House:

"When Her Majesty the Queen visited the Commonwealth Institute last May, she remarked:

'The institute brings the reality of the individual countries of the Commonwealth alive, and demonstrates the role the Commonwealth can play in the world and among its Members.'

Unfortunately, as the House will know, in September—owing, I believe, to an excessive Treasury squeeze on the FCO budget, and to a belief that the institute should raise more of its own money—the Government announced, without prior consultation, the decision to stop all future funding of the institute. That represented a massive blow to a popular and important institute."—[*Official Report*, 31 March 1994; Vol. 240, c. 1100.]

The main purpose of this debate is to bring the matter forward from there and to give the Minister of State a chance to tell us what he is proposing to do to prevent the institute from being permanently closed, which is a real possibility. I warmly welcome the Minister to the debate. I am well aware that he has on his mind some large and crucial responsibilities in other parts of the world.

The Foreign Office can point out that it has been the main source of funding for the institute since its inception, meeting more than 90 per cent. of its costs since 1963. Alack, under this Conservative Government, there has been a general underfunding of the institute. A few years ago, it was estimated that the building required a minimum of £3 million-worth of essential repairs to bring it to an acceptable standard and that desirable repairs and refurbishment would cost between £8 million and £10 million. That is hardly an example of good housekeeping for a building that has grade 2 listed status.

It was, perhaps, mainly falling visitor numbers that prompted the Government to cease grant in aid—more than £3 million for the financial year 1994-95—from March 1996. The Government then offered £2.4 million, to be spread over 1996-97 and 1998-99, conditional upon the institute and its staff attracting £5 million from other sources for its relaunch strategy by July 1995.

I pay tribute to the institute's efforts to raise money. It exceeded £1 million in the financial year 1994-95 but, unfortunately, the £5 million target was not reached and probably could not have been reached. As a result, the Secretary of State proposed that the institute's galleries—they are well known to many hon. Members and I know that Madam Speaker has visited them regularly—should be closed on or before 1 April 1996. In a letter dated 13 March to Mr. David Thompson, the chairman of the institute, the Secretary of State confirmed that the Foreign and Commonwealth Office is now prepared to provide a grant of £1.5 million. Of course I welcome that but, crucially, the letter states:

"I cannot, however, give you the assurance you seek about provision of further public funds for your running costs beyond March 1997."

At present, the galleries remain closed and I regret that. Staff numbers have tumbled from 96 to 37 and are set to fall even further.

I should like to commend to the House the recent excellent report of the Select Committee on Foreign Affairs. It is entitled "The Future Role of the Commonwealth". It contains a section on the institute. Paragraph 143 says:

"We are most concerned at the current situation and recognise that considerable efforts have been made by the Commonwealth Institute to cope with the financial difficulties, including imaginative plans for a major new exhibition entitled 'Wonders of the World'. However, the Institute has received no assurances about the provision of further public funds for its running costs beyond March 1997. If, by the end of 1996, the Institute has not secured private finance sufficient to give it a reasonable prospect of being self-financed from April 1997, there must be a real prospect of permanent closure. This must be avoided."

Indeed so. That is the key aim of my speech tonight.

As the Minister will know, permanent closure of the institute would require primary legislation. The Committee sensibly pointed out that the House should have a proper debate on the subject of permanent closure if that is seriously being contemplated by the Government. The Minister's thoughts on that recommendation would be appreciated.

The Minister will know that the Commonwealth Trust works closely with the institute, and the Committee was told by witnesses from the trust that the role of the institute is

"crucial to us in terms of educating young people in Britain".

The trust leaves to the institute the task of promoting knowledge of the Commonwealth in schools.

During my Adjournment debate on 31 March, I complained—I think justifiably—that the Government had failed to stir the imagination of the younger generation about the Commonwealth. The institute is one obvious way to approach that task. We spend only a few hundred thousand pounds each year educating people about the Commonwealth, whereas the European Union can spend very large sums on educating people about the EU.

I cannot justify the harsh approach adopted by the Government to the institute in recent years. I suspect that part of the rationale behind that approach has been a feeling in the Foreign Office that the Commonwealth itself should give greater financial support. I think that that is right. Apparently only a tiny proportion of the institute's budget comes from other Commonwealth countries. Singapore, Canada and Australia all have a higher gross national product per capita than does the United Kingdom; they could, and should, do more.

I should like to take this opportunity to pay tribute to Mr. Stephen Cox, the outstanding director general, and to his shrinking staff for their sterling efforts to keep the institute's doors open. They must be supported by this House. Indeed, I believe that there is considerable support for them in all quarters.

I believe and have said before that the Foreign Office budget is far too small. We need to expand our diplomatic posts in eastern Europe. As happened about a decade ago, we are back to underfunding the BBC World Service, and

[Mr. Cyril D. Townsend]

the British Council is in danger of having to close a number of offices. Our aid programme is diminishing as well. Some of us find that pretty depressing and not in the national interest.

The underpinning is, I accept, partly to blame for the crisis facing the institute. The future of this important institute must be seen against the background of the growing importance of the Commonwealth. The Foreign Affairs Committee's report has much to say on the subject. As early as paragraph 4, it remarks on how the Commonwealth's membership has changed beyond recognition in terms of economic performance:

"While it is still the case that some members of the Commonwealth are amongst the poorest in the world and rightly deserve the help and support of the richer developed world, the organisation now also contains some of the world's fastest growing economies, and even some of the richest. Thus, Singapore's income per head is a fifth higher than that of the United Kingdom and Malaysia is catching up fast. India's overall poverty conceals pockets of enormous dynamism and prosperity, whilst both Australia and New Zealand are now clear beneficiaries of the Asia-Pacific growth momentum. Hopes are also high for the resumption of significant growth in southern Africa."

No wonder that the Committee feels that the implications for our country of some of the world's fastest-growing markets being within the Commonwealth ranks deserve urgent re-examination.

Paragraph 9 of the report states:

"If the centre of gravity of the world economy is shifting in Asia's direction, then the Western countries best positioned to take advantage of this new scene will be those that have taken the trouble to maintain strong links of every kind with this emerging world. The old Commonwealth ties could therefore become, for the United Kingdom, the new Commonwealth opportunities."

One wonders if the Foreign Office is running ahead of or behind that kind of new thinking.

It is not too late for the Foreign Office to take another look at the importance of that well-known and well-loved institute and to make sure that it has the public funds that it needs not only to survive, but to prosper and help meet the needs of our rapidly changing Commonwealth.

10.25 pm

The Minister of State, Foreign and Commonwealth Office (Mr. Jeremy Hanley): The Government welcome the debate. The Commonwealth Institute has many supporters, and I congratulate one of its most faithful supporters—my hon. Friend the Member for Bexleyheath (Mr. Townsend). He is an honourable Friend indeed, and his knowledge of, and interest in, foreign affairs the world over is second to none in the House. The Foreign Affairs Committee has taken a close interest in the Commonwealth Institute's well-being, and included some pertinent observations in its welcome report, "The Future Role of the Commonwealth", which was tabled before Easter.

My noble Friend the Minister for Overseas Development will visit the institute next week to discuss with Asian high commissioners in London how their galleries can best be developed. The permanent under-secretary of the Foreign and Commonwealth Office will be able to answer questions about the institute when he appears before the Foreign Affairs Committee next month to discuss the FCO's departmental report. My right hon. and learned Friend the Foreign and Commonwealth Secretary has taken a close personal interest in the institute since he assumed office. He discussed future financing by the FCO for the institute with its chairman, Mr. David Thompson, in October and decided in March to make available £1.5 million this financial year, to enable the institute to maintain its core education, library and conference operations.

The Government's support for the Commonwealth Institute is part of a wider support for Commonwealth links worldwide, but I shall not rehearse them all now. Our decision to invite the Commonwealth Heads of Government to meet in the United Kingdom next year shows our confidence in the Commonwealth's continuing vitality and usefulness. Differences of view between Commonwealth countries over Rhodesia and South Africa have been replaced by a shared adherence to the democratic and liberal values set out in the Harare declaration and by the work that the Commonwealth can do to fulfil them. That common purpose was evident at the last Heads of Government meeting in Auckland last November.

Next Tuesday, my right hon. and learned Friend the Foreign and Commonwealth Secretary will attend at the Commonwealth headquarters at Marlborough house, as one of eight Foreign Ministers who are members of the Commonwealth ministerial action group, which was established in Auckland to follow up the Harare declaration. They will see how they can best influence the Nigerian and Gambian military Governments to return to civilian democratic rule. Recent elections in Sierra Leone received significant help from the Commonwealth and we hope that the Commonwealth can help the Gambia to organise free and fair elections later this year.

I do not deny that the Commonwealth Institute and, specifically, providing adequate funds for it, poses the Government a problem. The essence of the problem is simple: funds at a level required to make the institute vibrant, to increase visitor numbers, to bring its galleries and exhibitions up to a modern standard and to put the building, which has special features, in a good state of maintenance cannot be financed out of the FCO's budget alone without unacceptable damage to other priorities. We already contribute significantly across the board to Commonwealth activities: to Commonwealth scholarships, the Commonwealth Secretariat, the Commonwealth Foundation and the Commonwealth Fund for Technical Co-operation.

The Commonwealth Institute does worthy work. I shall talk later about its interesting history, but its overall role is somewhat apart from the FCO's core activities. That means that we have to be imaginative in finding ways of securing the comparatively large sums needed to make it thrive.

Mr. Cyril D. Townsend: I may be forecasting what my right hon. Friend is about to say, but it is important that this should come out. What efforts are the Government making to get a greater contribution from Commonwealth members?

Mr. Hanley: My hon. Friend, as ever, is right. I shall refer to that a little later.

In 1993, the Commonwealth Institute celebrated its 100th anniversary. We are dealing not with a new body but with one which, at a number of points in the last century, has changed its focus to remain up to date and

useful. The Imperial Institute, to which the Commonwealth Institute is the legal successor, began life in the 1890s as an integral part of Imperial college, as one of those fine institutions established in Kensington, using funds from the Great Exhibition and public subscription. Indeed, the Imperial Institute's distinctive tower can be seen standing out among the newer buildings of Imperial college, behind the Albert hall. Its original purpose was as a scientific research institute that made its findings available for all Britain's colonies and dominions.

Those with an interest in the history of the British empire will not be surprised to know that the hand of Joseph Chamberlain, the energetic colonial secretary at the time, was active in creating the institute. By the 1920s, in the trend that led to the Statute of Westminster in 1931, the willingness of the dominions and some colonies to fund a central research organisation in London came under question. Canada, Australia, South Africa and others understandably established their own scientific research institutes, specialising in products of interest to them.

In 1925 the Imperial Institute passed to the care of the Board of Trade, as a body concerned with furthering economic links in the empire. Indeed, at that time it was touch and go whether the institute would survive. However, it developed a new role, publicising the empire and particularly the economic benefits for its constituent parts, in line with the major imperial exhibitions held in the 1920s and 1930s. The institute played its part, with film shows and other activities, in spreading knowledge of the empire. After the second world war, that new educational and publicising role was recognised, when responsibility passed from the Board of Trade to the Department of Education.

In the 1950s the Department of Education launched an ambitious programme to increase the number of science graduates in the United Kingdom. The space occupied by the institute was needed to expand Imperial college. The Department of Education decided to provide the institute with a new home on Kensington high street, in a new building designed as a symbol of Britain's support for the Commonwealth and opened in 1962. The Foreign and Commonwealth Office took over responsibility in the late 1960s, in recognition of the role that the new Commonwealth was playing in British political life.

To begin with, everything went swimmingly. Commonwealth Governments contributed generously not only to the building, but to their exhibition galleries. The building was new. The Commonwealth was renewing itself. New educational techniques were exciting for children coming on visits. By the 1980s, the picture was somewhat different. Precious little money was forthcoming from other Commonwealth Governments to help run the institute. Indeed, in recent years the UK Government's contribution has been some 99 per cent. Some countries provided money to renew their exhibitions, but far from all did so. Many of the exhibitions have begun to look rather tired. As I am sure my hon. Friend knows, there is a splendid New Zealand mechanical cow, which illustrates that country's dairy industry. It has been munching away to the delight of schoolchildren since the 1960s, with all the transparency of Damien Hirst, but 25 years earlier. Perhaps for some, the cow has the same horror, but for most it has been supremely educational.

The Department for Education and Employment has increasingly devolved money to schools to decide on their own purchasing. Institute curriculum materials and education programmes are highly valued, but other Government Departments do not contribute to running costs.

Then there is the building itself. Those with the appropriate powers decreed that its special architectural merits—I understand it was a forerunner for the Sydney opera house—made it of outstanding architectural importance. It was listed as a grade 2 starred building and, in practice, that means that it can be altered in any way only with the greatest difficulty. Whatever views are held on the design, the requirement for money to maintain the roof—a novel and spectacular design, certainly in the 1960s—and other features in the building, has come back year after year to haunt us.

Against that background, the Government decided in the mid-1980s to find a way to inject new money into the institute. Initially, an ambitious plan to develop the site commercially was investigated. It looked promising, but the decline in London property values in the late 1980s put paid to it. In 1992, we asked Lord Armstrong, now the vice-chairman of the institute, to report on how the institute's future could best be secured. Essentially, he concluded that the worst option would be to allow the institute to wither on the vine. Visitor numbers have been declining. The building was deteriorating. The exhibition galleries were becoming outmoded. Running costs were high in relation to the work that the institute did. After considering Lord Armstrong's report, the Government decided that the institute should be given two years to find commercial private sponsorship. If that was not forthcoming, the Government concluded, reluctantly, that their own funding for the institute should cease and the building be put to another use.

Since September 1993, the institute has engaged with great energy in increasing its revenue. Staff numbers have been reduced, as my hon. Friend mentioned, by 66 per cent., largely because of the closure of the exhibitions. The conference centre and other activities have increased their earnings by 77 per cent. to nearly £1 million a year. I congratulate Stephen Cox and the staff on a splendid achievement. They have put a huge effort into identifying commercial finance. To our great regret, their efforts have not yet proved successful. The Government agreed to extend by six months, from July to December last year, the period for fund raising, but to no immediate avail. In those circumstances, Government funding was set to end in April this year—this month—and the institute was to close. Instead of doing so, the Government have decided to provide the institute with at least one further year to find out whether private sponsorship can be found.

We proposed that savings should be made immediately by closing the exhibition galleries temporarily. They were in any case due to close for refurbishment. The Government will provide a grant for the coming year sufficient to keep the institute's key operations—the education operation, the library and the conference centre—going. Meanwhile, the search for sponsorship and the programme for redeveloping the galleries can continue.

The Government have also provided more than £500,000, as I mentioned earlier, to help improve the building. Ministers have worked with the institute's governors to identify companies that might wish to

[Mr. Hanley]

become partners. We are examining the scope for using the private finance initiative, and we shall have intensive discussions with the institute over the next two months to find whether there are other ways in which finance can be raised.

I hope that other Commonwealth countries will produce income and that they understand the historical nature of this building in London, but we must be realistic. I hope that my hon. Friend will lend his considerable efforts and ask his contacts to consider such action.

It would be tragic if the institute had to fold. We do not want it to close, but it would not be responsible for the Government to continue drip-feeding it with grants simply to enable it to tick over and go into slow decline. We consider it better to face the problem squarely and recognise that fresh thinking and a fresh injection of money is needed. We are disappointed that, so far, new money has not been found, but we are not giving up. The institute has a valuable role to play, but it must adapt to modern conditions. It draws on immense good will throughout the country and in the Commonwealth. The challenge is to tap that good will to produce finance.

I hope that children will be attracted to the institute and that school parties will not only receive the educational benefits of the London Dungeon and Madame Tussaud's. I hope that they will recognise the history that is demonstrated by the establishment of the Commonwealth Institute. It is a unique organisation that spans the world: 53 countries which all, when they meet, speak one language and all attempt to achieve good government and the friendship that spans the races. As the institute's governors work at that task, they have the Government's firm support. I am grateful to my hon. Friend for having given us the opportunity to dwell on an important and lasting institution.

Question put and agreed to.

Adjourned accordingly at nineteen minutes to Eleven o'clock.

House of Commons

Friday 19 April 1996

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Orders of the Day

Sexual Offences (Conspiracy and Incitement) Bill

Not amended (in the Standing Committee), considered.

Clause 2

INCITEMENT TO COMMIT CERTAIN SEXUAL ACTS OUTSIDE THE UNITED KINGDOM

9.34 am

Mr. John Marshall (Hendon, South): I beg to move amendment No. 1, in page 2, line 18, at end insert—

'( ) Any act of incitement by means of a message (however communicated) is to be treated as done in England and Wales if the message is sent or received in England and Wales'.

Madam Speaker: With this, it will be convenient to discuss also No. 2, in clause 6, page 4, line 26, at end insert—

'( ) Any act of incitement by means of a message (however communicated) is to be treated as done in Scotland if the message is sent or received in Scotland'.

Mr. Marshall: The purpose of the amendments is to extend for the purposes of the Bill the scope of incitement, to ensure that any incitement by means of a telephone call, fax, Internet message or any other modern form of communication is deemed to take place in England, Wales or, as the case may be, in the glorious part of the country called Scotland, if the message is received in England, Wales or Scotland. Thus, if someone is sent a fax in England inciting him to commit an offence, the originator of the fax has committed an offence because the incitement to indulge in such a holiday was felt here.

An amendment similar in effect was tabled by the Opposition spokesman in Committee. I am sure that the hon. Members for Cardiff, South and Penarth (Mr. Michael) and for Newcastle-under-Lyme (Mrs. Golding) will both confirm that we had a productive Committee stage. We had a listening Committee. My right hon. Friend the Minister and I listened to the concerns that various right hon. and hon. Members expressed.

The amendment was resisted on the grounds that it was technically deficient. I sympathise with the hon. Member for Cardiff, South and Penarth for the fact that the amendment was deficient. None of us is a trained parliamentary draftsman—indeed, sometimes even they produce technically deficient Bills and amendments. So they cannot be surprised when mere Members of Parliament have the same problem.

My right hon. Friend the Minister accepted that there was merit in the principle of the amendment moved in Committee, but he thought that the position would probably be covered by the existing common law offence of incitement. It is always important when we obtain an opinion from a Minister which is based on a legal opinion that we have a belt-and-braces approach. We know only too well that lawyers make their money out of giving opinions.

Rev. Martin Smyth (Belfast, South): The hon. Gentleman said that the amendment referred to faxes in England, Wales and Scotland. In this world of communications, should he not also have included faxes in Northern Ireland, especially when we bear it in mind that travel agents and others operate in all the countries?

Mr. Marshall: The hon. Gentleman has anticipated a later paragraph in my speech. Under clause 4, this amendment would also apply to Northern Ireland. We know that evil knows no national boundaries, and that there are some people in Northern Ireland who are not so good as they might be.

Mr. Spencer Batiste (Elmet): I should be grateful if my hon. Friend would expand on a couple of points. It seems to me that this new amendment of his introduces the principle of extra-territoriality—something which many of us would have liked to see in the Bill on a much wider front.

If I understand it correctly, the amendment will mean that a British citizen, say in Bangkok, who sends a telegram or fax that might be deemed incitement will be guilty of an offence in Britain, and, should he return, could be prosecuted even though at the time of the offence he was located abroad. I should be grateful if my hon. Friend could confirm that the important principle of extra-territoriality has now been accepted.

Mr. Marshall: As my hon. Friend knows, the principle of extra-territoriality has always been accepted for certain aspects of British law. We both voted for the War Crimes Act 1991, which involved that principle. He is right: if someone in Bangkok sends out faxes or Internet messages to individuals in the United Kingdom saying, "Come here, there are 12-year-olds to be bought for £5," that would be an offence under the Bill.

That is rightly so, because it is hard to conceive of the depths of depravity to which normally civilised people will sink. The House will have been appalled to read that, in Australia, a former Australian ambassador is being accused of paedophile activity while he was on official duty.

Mr. Batiste: I am grateful for what my hon. Friend has said, and I may want to speak on it at some length later, but when he mentioned the Internet, he touched on another aspect of considerable significance.

The difficulty posed by the Internet is that a message put up by a British subject in Bangkok is not necessarily physically delivered to the United Kingdom, either in hard copy or electronically. It is the person in Britain who plugs into the message board who receives it. Clearly, that person might be guilty of an offence, but would the man

[Mr. Batiste]

in Bangkok, if he had done no more than put a message on the Internet, be liable for incitement if he returns to the United Kingdom?

Mr. Marshall: Amendment No. 2 states:

"Any act of incitement by means of a message (however communicated) is to be treated as done in Scotland if the message is sent or received in Scotland."

Similarly, amendment No. 1 refers to

"any act of incitement by means of a message (however communicated)".

Obviously that covers the Internet, faxes, letters or any method by which someone is incited to go on such holidays.

Someone in a Bangkok office who decides to put an offensive message on the Internet encouraging people to go on holidays in Bangkok, Peru or another underdeveloped country for these disgusting activities, will be covered by the Bill, guilty of an offence and liable to prosecution if they return to the United Kingdom.

Mr. Alun Michael (Cardiff, South and Penarth): Did we not decide in Committee that the difficulty of proving incitement and conspiracy is such that it was necessary to ensure that the simple act of the making information available, or of transmitting it to the United Kingdom, should be covered by the Bill? If it were not, the Bill's impact would be minimal, if not negligible. I welcome the amendments as a major improvement that will go a great way to meeting the aspirations that we shared in Committee. Of course, the Bill is still limited to incitement and conspiracy.

Mr. Marshall: In advertising, it is argued that some advertisements are persuasive and some informative, but the latter are also designed to be persuasive. The Bill, as now worded, means that, if people send messages that girls or boys can be had for £5 in a certain hotel in Bangkok, it is an incitement. It is not a purely factual message but an incitement to go there to engage in these disgusting activities. We are at one on that.

On the wider question of extending the Bill, the Government have set up an inquiry into the principle of extra-territoriality, about which I am sure my right hon. Friend the Minister will want to talk. Without going too deeply into the matter, I fear that, if we were to apply the principle of extra-territoriality to crimes committed in, say, Bangkok, we might be indulging in a gesture.

Mr. Michael *rose—*

9.45 am

Mr. Marshall: Do let me finish. I am being pretty generous in giving way. The hon. Gentleman should at least allow me to finish my argument before he asks me to give way again.

We frequently hear about the experience of Sweden, but let us consider what happened. The boy who gave evidence to the Swedish court—

Mr. Michael: Did we not agree in Committee that many hon. Members aspired to go further than the Bill does? As the hon. Gentleman said, the Government are undertaking an important inquiry. We agreed that we should speed the Bill, in as effective a form as possible, through the House, so that at least a step forward was taken. I say that because, with respect, it is not necessary to go into the arguments about widening the Bill, because we all agree that this is a first step. Let us take it and not delay and perhaps risk the Bill.

Mr. Marshall: When I am incited by an Opposition Front-Bench spokesman not to speak, it is almost as good as when my Whips tell me to speak. I obey unhesitatingly on both occasions.

Mr. Edward Garnier (Harborough): I hesitate to intervene in the debate because I was not a member of the Committee. I have had the advantage of reading the report of the Committee, and I agree with the hon. Member for Cardiff, South and Penarth (Mr. Michael) that it was constructive; it makes good reading.

I entirely support the principle behind my hon. Friend's Bill, but I am worried that, with amendments Nos. 1 and 2, we may be seeking to get to the best and so not achieving the good—that the best is the enemy of the good is an old cliché. Is my hon. Friend sure that they will prevent or inhibit potential inciters abroad from listing names and addresses on a bulletin board that can be received in this country?

The bulletin board could appear wholly innocent. It would simply list No. 4, Jones street, Bangkok or whatever. That will mean more to a knowledgeable receiver than to an ordinary receiver of that information. Clause 1(3), the double criminality clause, states:

"The second condition is that that act or other event constitutes an offence under the law in force in that country or territory."

Is he sure that his well-intentioned amendments will allow what I loosely call the double actionability rule to bite on the clause and ensure that the inciter in Bangkok would face arrest if he came to this country?

Mr. Marshall *rose—*

Madam Deputy Speaker (Dame Janet Fookes): Order. Before the hon. Gentleman continues his speech, I must warn against excessively long interventions. If they are that long, they should be the subject of a separate speech.

Mr. Marshall: Madam Deputy Speaker, I thank you for that protection. I have always thought that in politics, a long question is a great bonus, because the audience will have forgotten the question by the time the person asking it has finished. I do not know whether my hon. and learned Friend confesses that he has forgotten any part of his question.

Mr. Garnier: I have not forgotten my question.

Mr. Marshall: I think that part of the House probably has. My answer is that, if I did not think the amendment would have the effect that I have outlined, I would not have tabled it; nor would the hon. Member for Cardiff, South and Penarth (Mr. Michael) have made his comments in Committee if he had not thought that it was a real problem.

Many of us find the revolution in information technology difficult to understand, as it happened after we reached the age of 21—at least, it did for me. I do not necessarily know as much about it as some of my younger colleagues, but if someone in Bangkok seeks by means of what one would describe as informative advertising to encourage individuals to go there and indulge in those awful, perverted and pernicious acts, I believe that he would be caught under these amendments.

Lady Olga Maitland (Sutton and Cheam): I thank my long-suffering hon. Friend for giving way, but it is an important point—

Mr. Garnier: He was in the middle of an answer to my question.

Mr. Marshall: I had finished with my hon. and learned Friend.

Madam Deputy Speaker (Dame Janet Fookes): Order. We cannot have one intervention on another. I call the hon. Member for Sutton and Cheam (Lady Olga Maitland).

Lady Olga Maitland: Thank you very much, Madam Deputy Speaker. Obviously, I will bear those remarks in mind.

We were talking about technology and how it can be a vehicle for transmitting such information. My hon. Friend the Member for Hendon, South (Mr. Marshall) mentioned telephone calls. Is he suggesting that, if it is believed that they are being used as a mechanism for transmitting such material, they should be intercepted or, indeed, bugged?

Mr. Marshall: With her customary charm, my hon. Friend has managed to enter into yet another field of activity. I am sure that one could have a long and learned discussion about whether telephone calls should be tapped. No doubt our right hon. Friend the Minister of State, Home Office can tell us the conditions under which telephone calls should be tapped. My view is that there are certain privacies in this world, and that, if one cannot make a telephone call without having it tapped—unless there are very good reasons for it being tapped—we would be denying individuals one of their human rights.

Mr. Michael: Is not the simple fact that nothing in the law is changed in relation to the interception of messages by anything in the Bill, including the amendments, so that issue is irrelevant to today's debate?

Mr. Marshall: I have learnt that, whether interjections are relevant or irrelevant, colleagues are never stopped from making them.

I hope that I have dealt with the last intervention, and I ask the Minister to talk about the inquiry into extra-terratoriality, which is obviously dealt with tangentially by the amendment. The principle is one that he announced that the Government were again investigating.

He has said that the investigation should be completed before the summer recess, and it would be helpful to the House, in view of the impact of the amendment, if my right hon. Friend referred to that matter at some stage, especially in view of what has happened in Australia in the past few days.

The Minister of State, Home Office (Mr. David Maclean): I am grateful to my hon. Friend the Member for Hendon, South (Mr. Marshall) for tabling these amendments, which clarify, for the purposes of the Bill, the scope of the common law of incitement.

Let me say at the outset that there is no question but that the sexual exploitation and abuse of children is an evil act, and that children should be provided with the highest level of protection against such abuse. I am sure that the whole House would agree that everything possible should be done to prevent and deter the perverts who indulge such behaviour.

These two amendments, small though they may look on paper and insignificant and technical though they may appear, are central to the thrust of this Bill. The issues covered by the amendments were raised in Committee by hon Members from both sides of the House. My view was that the common law of incitement was adequate to cover the situations envisaged by the amendments. I believe that my hon. Friend the Member for Hendon, South shares that view.

This is an area, however, where certainty is a valuable commodity—a point I recall the hon. Member for Cardiff, South and Penarth (Mr. Michael) making in Committee. I am therefore glad that my hon. Friend has moved these amendments, and I can reassure him and the House that the Government support them.

It may be helpful to the House to reflect upon the principle that lies behind the amendments and how increasingly important it is in today's world. Incitement is an act of urging or encouraging someone to do something. Today, I shall incite hon Members to support this Bill. By doing so, I am not committing a criminal offence, because the act that I am inciting hon. Members to do is perfectly lawful.

However, if I urged hon. Members to run outside and rob a bank, I would be guilty of a criminal offence—at least, I would if parliamentary privilege did not apply—as I would be encouraging them to do something unlawful. That, simply, is the common law offence of incitement.

In that case, there is no doubt as to the jurisdiction of the courts. I, the inciter, and hon. Members, as—if I may use the word—incitees, are here present. But that new—indeed, not so new—technology, which has brought so much benefit to so many people's lives, can also bring disbenefits and confusion in this area of law.

If I went on holiday to France and wrote a letter to someone in this country, urging him or her to commit a criminal offence here, am I committing an offence in this country? I believe that there is case law that suggests that I am, and that, if I were then foolish enough to return to this country, I could be arrested and charged for incitement.

The postal service—marvellous though it is—is not an example of the most modern technology. Vocal communication systems—mobile phones, for example—enable us to speak to anyone in the world, from anywhere in the world. Would encouragement to commit an offence by phone message be incitement at common law? Case law may be less certain there.

The Internet, which has been mentioned this morning, is a subject about which we have heard much recently, and I am sure that hon. Members will hear a lot more

[Mr. David Maclean]

about it in the future. If I understand it correctly, the Internet is simply a linking together of individual computers around the world. I have no doubt that it can be described more fully and more technically in several volumes of books, each weighty enough to be described as an encyclopedia, but put simply, that is all the Internet is.

Nevertheless, it is a powerful thing and it is going to get a lot more powerful. Messages can be sent around the world in seconds—not just text, but images and even moving images, voice, sound and music. The police have shown me some, and I have heard it said that the only barrier to what could be carried on the Internet in future is one's own imagination. That is as maybe, but such a powerful tool, which offers wonderful opportunities for enhancing communication around the world, unfortunately lends itself to mischief making, and is one of the prime tools being grabbed by paedophiles and others in that filthy business.

Incitement by Internet is now a possibility, and that incitement can take place anywhere in the world instantaneously. The question is, can our common law cope? I should like to think that the common law, which has served this country well for centuries, is robust enough to deal with any challenge that the late 20th century can throw at it. As an aside, Scots law was always able to adapt rapidly to modern technology and trends, from the 1700s and 1800s on, but that is not relevant to this debate.

We must not forget that in this Bill we are dealing with the safety and security of innocent children.

Mr. Bernard Jenkin (Colchester, North) *rose—*

Mr. Maclean: I should not have tempted my hon. Friend. May I finish this point before I give way?

Any society must, as its first priority, see to it that its children are protected and cared for by the law of the land.

Mr. Jenkin: My right hon. Friend's previous comment raises a question that I should, perhaps, not be asking. Surely the Bill applies in Scotland. Is my right hon. Friend suggesting that some of the provisions might be applied very differently there?

Mr. Maclean: No, I was not suggesting that they would be applied differently in Scotland. I was merely suggesting that the Scottish legal system, which is based on Roman-Dutch law, whereby judges could rule that something was contra bonos mores and interpret the law more flexibly than case law in England, could be said—this is merely an academic argument of the type that might take place in some of the Scottish universities when Scots law and its future in Britain or, indeed, Europe are debated—to enable it to deal more flexibly with new customs, technology or crimes that Parliament has not yet decided to outlaw. Scottish courts, for example, took a slightly different view of the practice of wheel clamping than did the English courts.

There is no question of interpreting the law differently. It is merely that, by habit, custom and coming from different theological bases, Scots law and English law have developed different flexibilities.

We do not want there to be any doubt on this subject. The law being passed today—which hopefully will receive a Third Reading today—will apply equally in both countries of the Union, as it will, of course, in Wales and Northern Ireland through clause 4,

Mr. Batiste: For many years, I have been very interested in the issue of extra-territoriality and in the technological aspects of the internet. My right hon. Friend has just made some very positive statements about the Internet and about how messages on it would be covered by this legislation. There are, however, some very significant differences, which I shall try to draw out in a little more detail shortly in a speech.

There is a difference between sending out a message to an intended recipient in the United Kingdom and putting a message on to a bulletin board on the Internet somewhere in the world, which would then be examined and scanned by people in the UK. I am not at all sure that the drafting of this amendment will necessarily catch that second type of incitement over the Internet.

10 am

Mr. Maclean: I believe it does, because the amendment states:

"if the message is sent or received".

If the wording was

"if the message is sent with the intention that it may only be received in England by a willing recipient",

it would have a severe limitation, and would not be relevant to the Internet. The fact that someone is "surfing the net" or "scanning"—or whatever the jargon is—and receives the message is sufficient to trigger this clause. There would be no problem in relation to the legal position.

There will, of course, still be a practical problem if that person in Bangkok who was mentioned by my hon. Friend the Member for Elmet (Mr. Batiste) never leaves Bangkok or returns to Britain, because we will physically not be able get our hands on him. Nevertheless, the crime will have been committed.

Mr. David Congdon (Croydon, North–East): I should like to continue with the point about intent in relation to sending a message and whether it has been received. As a non-lawyer, my concern is whether someone would be able to drive a coach and horses through the clause by arguing that, by sending the message to a bulletin board, they were not intending necessarily that it should be received by someone in England. Would not a clever lawyer—there are plenty of clever lawyers in this place, as there are elsewhere—be able to use that as a defence?

Mr. Maclean: I would say no, in no circumstances could it be used as a defence. We know what bulletin boards are, and we will get more details about how the Internet works. Bulletin boards are not a dead end in themselves, but a means of ensuring that messages are kept anonymous so that it is difficult to discover who sent the message. The sender knows that the message will then be transmitted to another web of computers and received by other people.

It would not be a defence for someone to say, "I invented a message and put it on the bulletin board, but of course I never expected anyone to read it." That defence would be disingenuous, and I do not think that it would hold water with any judge, magistrate or jury.

Mr. Jenkin: What would happen if the message in question is in a foreign language? Could it be argued that, even though the message is available in the UK and of course available for translation, because the message is in French or Spanish, for example, it is not intended to be read in this country? Could that be used as a defence?

Mr. Maclean: I do not think that that would hold water as a defence, either. In many of those examples, it would be a matter of proof and the facts of the case. According to the amendments' wording, the message would still have been received in the United Kingdom, and it would still be an offence however the message was communicated—in whatever language it was communicated. Many people in this country speak Spanish, and somewhere in this country every language is spoken by someone. Despite the language, it would still be an offence.

The amendment is certainly worded in such a manner that it would catch those messages. It would then be a matter for the police and the prosecuting authorities to decide in each case whether they had sufficient evidence to justify a prosecution, and of course whether they physically have the fellow who did it—and I say "fellow" advisedly.

I was saying before I ventured into my biased Scots law aside that there should be certainty. These amendments must provide such certainty. Any act of incitement by means of a message, however communicated, shall be deemed to take place in England and Wales if its effect is felt and received there. The second amendment deals with exactly the same situation in Scotland.

Thus, no one can claim that they are outside the jurisdiction of the Bill because they sent the message by Internet from Hong Kong, used a mobile phone in Venezuela or posted a letter in Egypt. If the message was received in this country or sent from here, the news is—by virtue of these amendments—they are caught.

That is the message that I should like to go out from the House today when the Bill is reported—that we are after those people in future. The message should be not only that we can now catch their physical acts against children, but that—when this Bill goes through its stages today, through the other place and then receives Royal Assent—the people hiding on the Internet or sending their filthy messages by that means of communication will be caught by this Parliament and by this Bill.

Mr. Garnier: My right hon. Friend may have uttered a slip of the tongue. He used the expression "sent or received"—which is in the amendment—but he also used the expression "the effect of", which is not quite the same as "sent or received". I wonder—bearing in mind the case of Pepper *v.* Hart, which allows the courts to look at what Ministers say in Committee—whether he could be a little clearer about the use of the expression "the effect of", because we are talking incitement.

Mr. Maclean: I thought that it was quite clear that the act shall be deemed to have taken place in England or Wales if the message put on the Internet in any other part of the world is felt here—if it is received here, seen here and available to be read by people here—and that it is an offence and is caught by this section. The effect of putting that message on the Internet is felt here, so the law is triggered. I hope that that is clear.

The person does not necessarily have to go and commit an act of indecency with a child. The person does not have to carry it into effect. Because the incitement has been put on the Internet—perhaps to come to Bangkok to do things with children—does not mean that the person who receives the message has to go to Bangkok and physically carry out an act before the crime is committed. The person who put the message on the Internet similarly does not have to ensure that someone carries out an act before he is guilty of an offence. The fact that the message has been put on the board and has been received here is the offence, not whether any physical act is then perpetrated.

Mr. Michael: I am grateful to the right hon. Gentleman, because I think that he is helping to clarify the intention of the Bill, as I understand it. May I try my own words to clarify the position? The act of the putting information on an electronic bulletin board is the first step of a piece of communication that would be caught under these amendments. That is how I interpret the words in the amendments, and I believe that that is what the Minister intends, is it not?

Mr. Maclean: As I understand it, yes; I think that we are in agreement on that—but, of course, it has to be received here for the offence to be triggered.

Lady Olga Maitland: On the point about "received", what would happen if the recipient received material that was totally unsolicited? The offence, therefore, must have been perpetrated by the sender. If the sender is overseas, it is clearly not an offence, but the person receiving unsolicited material in this country could be deemed to be committing an offence. I am sure that that is not what my right hon. Friend intended.

Mr. Maclean: No. The criminal is the inciter, the person who puts the information on the Internet, or communicates the message by fax or whatever. That person is inciting others to go to countries to do certain things with children. The innocent person who is browsing the Internet and stumbles across that information does not commit any offence. If a person lifts paedophile material or indecent photographs of children from the Internet, or from any other source, and then uses them or trades them, that person is guilty of existing offences.

A person may well read such messages in a newspaper where such advertisements, which are carefully worded, escape existing law. That will not happen in the future. I have been sent some of those sex tour advertisements by hon. Members. Of course the innocent person who reads such advertisements is not guilty of an offence, but the person who plants them with intent is guilty of an offence.

Reference has been made to the fact that Northern Ireland is omitted from the text of the amendment. I hasten to explain that that is not an error. Clause 4 applies the provisions of clause 2 to Northern Ireland. The amendment to clause 2, which refers to England and Wales, encompasses Northern Ireland by virtue of the provisions

[Mr. Maclean]

of clause 4. I do not want any hon. Member from Northern Ireland, or indeed any other hon. Member, to believe that that part of the United Kingdom has been given any less prominence than any other part.

Hon. Members may recall the Bolin case in Sweden. Last year, the Swedes successfully prosecuted one of their own nationals, Bengt Bolin, for sexual offences committed against a boy in Thailand. It was an interesting case, because many people wrote to me and urged me—incited me, perhaps—to change the law to allow our courts extra-territorial jurisdiction over child sex offences. They believed that that successful prosecution showed that we could do the same.

I looked at the case carefully, took advice from appropriate professionals, and came to the conclusion that, on the facts of the case as presented to the court in Sweden, we could not have secured a conviction under English law. I do not want any hon. Member to get me wrong—I am not saying that the conviction in Sweden was unsafe, unfair or in any way tainted. Under their rules of evidence, they secured a conviction, and one pervert had to pay his dues to society by serving a term of imprisonment and paying compensation to his victim. I am sure that we are all pleased about that.

Mr. Tom Cox (Tooting): It is interesting to hear the Minister's comments. Did he get in touch with the Swedish Government about the matter?

Mr. Maclean: I did not get in touch, but my Department has a huge staff to do that sort of thing. We received transcripts of the case, which were in Swedish, not surprisingly, and we had them translated. We analysed them in great depth and took expert legal advice. We could not reach a conclusion without reading those transcripts. But good luck to the Swedes, because, under their perfectly legitimate and sensible law, they managed to get a conviction, but under English rules of evidence we would not have managed to secure one.

Mr. Michael Alison (Selby): I hope that you will allow me, Madam Deputy Speaker, to refer briefly to the Bolin case, which my right hon. Friend has raised. I believe that he is being disingenuous by suggesting that that case would have failed in a British court. The English prosecution service would not have presented the case in the same way. The essence of the case would have been presented to a British court, which uses the jury system, in a different way from how it was presented to a Swedish court, where a judge sits with other adjudicators.

An eminent Swedish juryman has written to the Coalition on Child Prostitution and Tourism:

> "From a purely practical viewpoint, I would dare to venture that the English jury system might tend to favour the prosecution—I reckon that a 60-year-old retired civil servant proven to be found in a bedroom at night with a twelve year old Thai boy regularly engaged in prostitution might be off to a bad start with twelve English jurors!"

I suspect that that is the case. My right hon. Friend is slightly misjudging the relevance of the Bolin case by saying that, if it had been presented here as it had been presented in Sweden, it would not have stood up. The prosecution would have approached it in a different way in the British courts, and a conviction would have been secured.

Mr. Maclean: My right hon. Friend is right to say that, if the evidence was ever put before a jury, one would hope that an English jury would convict. He is also right to say that an English prosecutor would have to present the facts in a radically different way if he was to secure any conviction or ensure that any part of the case was heard.

Mr. Garnier *rose—*

Mr. Maclean: I shall give way in a moment.

10.15 am

If one studies the evidence given by the boy, one will find that he alleged that he settled on the final version of his story after, as he claims, he was threatened by a police officer in his own country, who was waving a gun at him. We do not quite allow that under the rules of evidence in this country, but that at least is what he said.

The boy was looked after and prepared for his court hearing by a non-governmental organisation. Can one imagine what would happen in our courts when the defence lawyer stood up and said that the boy had been prepared for his court hearing? The defence would certainly claim that the boy had been prepared and made to recite his evidence backwards, whether that was true or not. We do not allow that in an English court. Can one imagine what would happen if the boy gave evidence in an English court under cross-examination? Even the most newly qualified lawyer would tear his evidence apart.

One of the main reasons that the Swedes got a conviction and preferred the boy's version of events to that of the defendant was that the defendant had admitted assaulting the boy to an off-duty Swedish police officer who was posing as a fellow child molester. That conversation was clandestinely recorded by a Danish television crew. I cannot imagine the circumstances in which we could manage to get such evidence accepted in an English court.

Mr. Michael: I fear that the Minister is allowing himself to go down avenues that are not necessary to our debate. Frankly, the Swedish case is irrelevant, and the Minister has said why. It took place under different rules of evidence, and under a different legal system. Surely we are interested to hear from the right hon. Gentleman about how his inquiries and conclusions may make it easier for the law of England, Wales, Scotland and Northern Ireland to deal with the actions of our citizens abroad. The Minister undertook that his investigations would be directed at that objective.

Mr. Maclean: I am grateful for that opportunity to move on. My right hon. Friend the Member for Selby (Mr. Alison) suggested, erroneously, and in the nicest possible way, that we could easily get a conviction in similar circumstances to the Bolin case. I could not let him get away with that. As I have said before, because of some of our defence lawyers, we have difficulty getting convictions when an armed robber in this country is caught on camera in front of 12 police officers.

Mr. Garnier *rose—*

Mr. Maclean: I shall give way for the last time.

Mr. Garnier: The Bolin offence could not have been tried in this country because we do not have extra-territoriality. That is the end of the argument.

Mr. Maclean: Yes. We could not try that case in this country because we do not have extra-territorial jurisdiction. Some people argue, however, that, if we merely had such jurisdiction, there would be no problem, and we could convict people like Bolin. A mere change in the law does not give us carte blanche to change our rules of evidence. In similar circumstances, we would not get convictions. If it was that easy, why do we not get convictions in those countries where those crimes are committed and where we are willing to extradite those involved? In the context of these amendments, that case illustrates the differences in the legal systems of various countries—the different concepts, the different traditions, and even the different kinds of behaviour.

Conspiracy and incitement—which are at the heart of the Bill—are not recognised as criminal offences in many countries, but they may have other offences that cover some of the same ground. These amendments are necessary because it is unlikely that we would have the essential dual criminality for the incitement acts which may originate in another jurisdiction to be a criminal offence there and for us to seek a prosecution under the laws of the foreign state.

While the case of Mr. Bolin was perhaps a disappointment for those who felt that it would demonstrate that our courts could easily convict people of crimes committed abroad, it illustrated to us the need ensure that our legislation covers adequately, and to the extent that our courts can and should take jurisdiction, all the possible avenues of, in this instance, incitement that should be explored. We must leave no stone unturned, particularly as communication is so rapid and reaches all corners of the world. There is no longer any part of the globe which can truly be said to be cut off from the reach of the child molester and his propensity to incite, encourage and recruit converts to his evil ways.

Sadly, there are child molesters in all parts of this country who travel abroad to indulge in their filthy practices. They include lawyers, doctors, bank managers, social workers, manual workers, travel agents, clerks, lorry drivers and pensioners. You cannot tell that someone is a child molester just by looking at them. That is what is so difficult about dealing with these perverts—they appear to be so normal, but, secretly, they are looking for children to abuse.

I cannot say often enough: we must make the Bill a shield to protect children. Children deserve our protection no matter where they are in the world. That is why the Bill is taking powers over acts committed here in the preparation for, or furtherance of, sexual offences committed abroad.

In this context, these amendments are even more important because so often the incitement will come from abroad. One pervert will go to a country where, sadly, children are sold for sexual favours, find a brothel or a bar where these poor souls are for sale, indulge in his wicked ways, and then call his friends in the United Kingdom and tell them to come over there and indulge in the same abuse. That is incitement—the message is sent from abroad, and no matter what coded language it may be, if that is the intention and it is received here, we have caught them—and we would all say, "Hear, hear" to that.

In the past, many hon. Members have proposed that we take extra-territorial jurisdiction, and they have considered that this country, by not taking such jurisdiction, is letting these perverts get away with it. Although we are prepared to extradite our own nationals, subject to the usual rules, to stand trial in countries where an offence has been committed, it is argued that that is not enough. The country concerned may not seek extradition—indeed, we may not have an extradition arrangement with them. The proposals for an extension of the scope of incitement go some way to meeting the concern expressed by hon. Members.

It is true that we already take extra-territorial jurisdiction over a range of offences. Specific statutes have extended the criminal law to cover the conduct of persons outside the territory of England and Wales, often with the objective of implementing an international convention or of protecting a particular domestic interest. There are some precedents for taking extra-territorial jurisdiction.

There are precedents for taking extra-territorial jurisdiction. It has been suggested that the practical difficulties of mounting successful prosecutions could be overcome. The corrupt nature of the official systems in many countries could be bypassed by using non-governmental organisations to investigate allegations of abuse and to obtain the evidence necessary to secure a conviction in this country.

Perverts often return to this country with clear evidence of their crimes—video tapes, for example—and other countries have taken extra-territorial jurisdiction to deal with these offences. It has also been suggested that the United Kingdom should join the international consensus on this issue to mark its abhorrence of the activities of child molesters.

These are powerful arguments, and I treat them with great respect—I have not dismissed them lightly—but no responsible Government can rush into legislation on this and ignore the counter-arguments if there is the possibility that the legislation will be nothing more than a gesture. Criminal jurisdiction in the United Kingdom is traditionally territorially based—that is, there is an assumption that, for conduct to constitute an offence here, there must be a connection to the territory of this country. The strength of this system lies in its simplicity. Crimes are best investigated in the country where they are committed, by the relevant prosecuting authorities.

We are willing to extradite our nationals, subject to the usual rules, to stand trial abroad. We have extradition agreements with many countries. Of the states in the European Union, only the United Kingdom and Italy are completely free in extraditing their nationals, and France and Germany never do so. Where extradition agreements do not exist, ad hoc arrangements may be made in circumstances where we are satisfied that the offender will receive a fair trial.

Mr. Alison: I have a couple of points on the important area that the Minister is covering. Will he confirm that, if a country such as Thailand introduces a death penalty for child abuse, we will still extradite British nationals in conjunction with our extradition treaty? Otherwise, his extradition argument is weaker. Will he confirm that the

[Mr. Alison]

review that he mentioned in Committee is still continuing, and that he is not announcing negative conclusions about the review in his remarks at the present time?

Madam Deputy Speaker: Order. Before the Minister replies, I should point out that the debate is now becoming very broad. I am not sure whether the nature of the amendment lends itself to such a wide argument.

Mr. Maclean: Naturally, you are correct, Madam Deputy Speaker. I shall briefly respond to my right hon. Friend.

With all due respect, the question whether we would extradite to countries that have introduced penalties that are unacceptable to us—such as the death penalty—is bogus. This point has been made before, and it is not correct. In those circumstances, Britain seeks an assurance—a binding guarantee—that, if the person is found guilty, the death penalty will not be applied, and then we extradite. That has been our policy for some time.

In my first few weeks of moving to the Home Office, we had a case—I cannot remember its name—in which we extradited back to Morocco a student who had been accused of murder. Once we got a guarantee that he would not be executed if he was found guilty, he was extradited. That would not be any bar to extradition of people back to Thailand. If I may say so—without causing offence in international relations—some countries have no difficulty in taking rigorous action against drug dealers who are caught with drugs on them, but they seem to find enormous difficulty in taking action against perverts who abuse children.

We have not come to any conclusions on the review—we have severe doubts on the difficulties. I have taken every opportunity to point out the practical difficulties, not because I am prejudging the outcome of the review but because there are genuine difficulties. I do not want hon. Members to be under the impression that all we have to do is make a few changes to the law here and there, that Britain can then have extra-territorial jurisdiction, that a queue of perverts will be prosecuted in the British courts and found guilty, and that we will stamp out the problem. It would not work like that—although we all wish to God that it would.

Mr. Batiste: While I understand everything that my right hon. Friend has just said, I make the same comment that I made during the passage of the War Crimes Act 1991: given all the evidential difficulties, even if there are no successful prosecutions, it is still better to cause these perverts to live in fear that one day the hand will fall on their shoulders and they will be called to account for their deeds. If we do not put our laws in order to achieve that, they can come back to this country and regard it as a safe haven.

Mr. Maclean: If it worked on the basis that they would live in fear, there might be some considerable merit in what my hon. Friend says. However, I believe that they would not live in fear—they would see the law as ineffective, as it would be. If we have no prosecutions, or one prosecution every five years and it fails—as it possibly could—it would not strike terror into the hearts of potential paedophiles, molesters or those putting messages on the Internet.

To strike fear into the heart of potential criminals, we must have two things—as my right hon. and learned Friend the Home Secretary has been emphasising in his sentencing proposals. We must improve the likelihood—indeed, make it certain—that people who commit such offences will be caught, and the sentence must be adequate.

We have an adequate sentence in this country, but if, as I suspect, by extending and taking extra-territorial jurisdiction we would make no difference to the possibility of someone being caught and the case being proved in court, it would be a bogus exercise.

We are not dealing with rather thick criminals. Some of these people are the cleverest in the world. They spend their whole life hiding their activities from law enforcement authorities. If people of the rank of ambassador are being charged with offences, it is obvious that such people are not the thickest people in the world, whatever country they come from. Some very clever people indulge in these practices, and any person who travels 11,000 miles around the world to indulge in them will not easily be fooled by gesture legislation.

10.30 am

I hope that, if the review does conclude that we can take sensible further steps on extra-territorial jurisdiction, it will so recommend, because it shows that in practice we shall be able to make a difference. All right hon. and hon. Members want to do that. We do not want to spend our Fridays passing legislation for the fun of it or as gesture politics. We want to make a difference.

For the present, extra-territorial jurisdiction is not the solution to the problem. It is right that the assumptions and opinions that underlie our concerns about extra-territorial jurisdiction are from time to time tested to discover whether they remain valid. That is why we have had the wide-ranging interdepartmental review announced by the Home Secretary on 1 February.

I can assure the House that my right hon. and learned Friend will carefully consider the report of that review. If it suggests that it is possible for us to enforce extra-territorial jurisdiction in the specific circumstances of sexual offences against children, I am sure that he, I, everyone in the Government and the whole House will want and expect us to act, and we shall not be backward in coming forward.

The Government condemn, without question, the activities of those monsters who prey on innocent children. We shall strive to take any measure we can to combat that dreadful trade—provided that it can be seen to be effective. The measure will be effective when the amendments are made.

I hope that hon. Members will understand from what I have had said that the amendments will complete the shield that the Bill will provide to prevent the abuse of children. I support the amendments, and the Government support them. I hope that all hon. Members will do so, so that the Bill will be as effective as possible in its aim to deter those who wish to use this country as a base to plan their evil activities.

I commend the amendments to the House.

Mr. Michael: I intend to be brief, but the debate has ranged over not only the two amendments but most of the other essential issues arising from the Bill.

I congratulate the hon. Member for Hendon, South (Mr. Marshall) on tabling the amendments, and the Minister on responding so positively to them. I am grateful especially because the amendments respond to the arguments that I and my hon. Friends made in Committee, and they bridge what we felt was a massive gap in the Bill, despite its good intentions. The amendments are of great importance in making the Bill an effective piece of legislation and in enabling it—as the Minister suggests we all seek to do—to make a difference.

Parliament has been at its best in dealing with the Bill. We had sensible but searching debates in Committee, in which many genuine arguments were made. The quality of that debate is reflected in the amendments before us. It was a worthwhile Committee stage, in which we tackled serious issues. We hoped to extend the Bill's scope and impact. That is why debate in Committee focused on extra-territoriality, on making it possible to catch the actions of offenders—especially of British citizens abroad—and on tackling incitement.

As the Minister suggested, the amendments take a considerable step down the road of making the intentions of Parliament effective in relation to incitement and conspiracy, and the activities of those who seek to promote and be involved in such unspeakable activities.

The amendments are central to making the Bill effective in that they close off the possibility of convolutions of communication to evade the intentions of the Bill as originally drafted; they toughen the Bill. The test of the Bill's success will not be the number of prosecutions alone but the certainty among the paedophile community—if we can call it that—that the powers are sufficient and prosecution is likely. The object is to prevent such activity, and success in preventing the activity will be success for the Bill.

Several references were made to extra-territoriality. The example of the War Crimes Act 1991 comes to mind. We would not regard Parliament as having been wrong or consider that the 1991 Act had failed if there were no successful prosecutions. It would still be right, because the principle was right, the intention was right and Parliament was right to pass it. The question is, what should Parliament do about the activities of our citizens abroad, and how should we extend the law? That is what the Home Secretary's inquiry is supposed to be about, and the House needs to debate the question as soon as possible.

We want the Government to go further—if not by extending territoriality, in other ways. Extradition is insufficient, for reasons that I gave in Committee and shall not repeat. The economy and tourism of some countries may receive a devastating impact if they exercise the rights through agreement of extradition, so it is not as simple for them as it would be for us if it arose from the activities of one of our nationals abroad.

As my hon. Friend the Member for Tooting (Mr. Cox) has emphasised several times, we need to find ways of ensuring that we act in concert with the international community to make our actions effective, whether through international agreements, international law or international action. I hope that the Minister will ensure that we are represented and involved in some of the international meetings and conventions that aim to improve the quality of action on such matters by the international community.

Mr. Garnier: The hon. Gentleman has hit the point. If we wish to move into extra-territoriality, the way to do so is by international co-operation, by conventions such as the Tokyo convention and other conventions allowing courts in this country to extend their jurisdiction to, for example, offences in aeroplanes over other people's jurisdictions. That is the way to do it—not to introduce extra-territoriality into the Bill, but to reach agreement and become party to a convention, and then introduce that convention into English law.

Mr. Michael: It does not help to extend that debate as we debate the Bill. Those steps should be taken, and we would urge the Government to take them. Extra-territoriality needs to be debated; we debated it in Committee. I believe that all members of the Committee accepted that we could not push further on the Bill without risking the Bill itself, and that it was important to proceed with the Bill with the improvements that have been accepted today, get it on the statute book and make that great improvement. Without today's amendments, we should not have regarded the measure as effective, but it now becomes effective.

The debate about extra-territoriality—whether we should proceed by combined international action or international statute or convention, and whether extra-territoriality in British law can and should play a part—should be left to another day. I urge the Minister to ensure that the outcome of the inquiries and discussion set in place by the Home Secretary is brought before the House for proper discussion as soon as possible, so that we can all share in a discussion of the pros and cons.

I have no doubt that, as the hon. and learned Member for Harborough (Mr. Garnier) suggests, there is a downside to that line of approach. We want to ensure that, if that line of approach is rejected, other measures are put in place to ensure that we are effective in the international community. That point unites us across the Floor of the House. I do not want to develop that discussion now, although it should be held as soon as possible. Today, we should welcome the fact that we are moving forward. Enforcement is a different matter from what we seek to enforce, and we are dealing with the second of those issues.

I am pleased that the discussions have extended into how we deal with the Internet. It is clear that the Internet presents a range of new opportunities for the promotion of such activities. If material is made available on the Internet, it should not allow someone to evade the intention of United Kingdom law. Our responsibility in relation to our citizens' activities will be covered by the amendments.

The freedoms of the Internet need to be balanced by powers to deal with the misuse of that freedom; rights and freedoms must be balanced against responsibilities. I am pleased that the amendments recognise that fact; they are simple and straightforward, and achieve, in a stylish way, the intentions that we sought to press in Committee.

We have taken a step forward, and are speeding the Bill on its way with the two amendments; I hope that the Minister will soon say, not just that he and the Home Secretary have had many interesting discussions and agonised over the midnight oil, but how the UK can fulfil its international obligations—particularly in relation to our citizens—in its attempts to end the vile trade and activities of paedophiles. I hope that the House will tackle the issues that the Minister tells us that he and his officials

[Mr. Michael]

have been addressing—the question whether or not an extension into extra-territorial jurisdiction is appropriate. We must hold that debate, and I hope that the Minister will ensure that the House will be able to have it at the earliest possible date.

Sir Michael Neubert (Romford): If our discussions so far have raised a number of different aspects, it is because the amendments represent the quintessence of the purpose of the legislation and the problems that go with it. My hon. Friend the Member for Hendon, South (Mr. Marshall) was right to say in introducing the amendments that the Bill needs to take account of changing technology. There is no question but that the law and the legal advice which follows it usually move at a much slower rate than technological advances.

Statute law moves at a ponderous pace. My right hon. Friend the Minister has said that he has confidence in the robustness of common law to cope with the challenge of changing circumstances and conditions, but when making legislation in this place we tend to lumber behind and do not keep up to date with the most novel, shrewd and devilishly clever developments associated with so many of the greatest minds in this country and elsewhere. I support the amendments and I particularly welcome the fact that in two words—"however communicated"—we can identify any means of communication and make it an offence if an act of incitement is committed through a message sent from one country to any part of the United Kingdom.

I yield to no one in the degree of distaste and abhorrence that I feel for the sexual abuse of children, which lies at the heart of the Bill. I wish to see such evil eradicated at the earliest possible moment, wherever it occurs in the world. My role in the debates—on Second Reading, in Committee and on Report—has inevitably been to be something of a damp blanket on the fires of enthusiasm of so many hon. Members. I find myself to one side of my colleagues from Yorkshire, which is a rare experience for me, particularly in relation to my right hon. Friend the Member for Selby (Mr. Alison), for whose views I have so much sympathy and whom I support on most occasions. I have reservations about how far the Bill can go in dealing with the problem of extra-territoriality.

My right hon. Friend the Minister has stressed the importance of certainty. We must have regard not only to ourselves, but to public opinion outside this place. Nothing undermines the confidence of the British people in their Parliament more than when we assert that we can achieve things—through law, declaration or decision in this House—and the public later find that the law falls short of their expectations. There is considerable danger in not recognising that the Bill, welcome as it is and commendable as the efforts of my hon. Friend the Member for Hendon, South are in introducing it, has a limited contribution to make in combating the scourge of child abuse elsewhere in the world.

10.45 am

Mr. Congdon: I have listened carefully to my hon. Friend's concerns about bringing the House into disrepute, but does he share my concern about an opposing aspect? The fact that the House has been unable to go further in terms of extra-territoriality has led many people to send postcards to hon. Members asking why we are doing nothing about this vile and evil trade. It is difficult to strike the right balance when reassuring public opinion.

Sir Michael Neubert: It is a difficult balance to strike, but it is made more difficult because those postcards—a number of which I have received from my constituents—do not bear the sender's name and address. Hon. Members are therefore denied the opportunity to write to explain their position and the difficulties that they face. We can merely issue general press releases, which probably do not reach those people. That is one message which should get through, but does not, and I have expressed my regret about it on more than one occasion. The postcards raise a number of serious questions and may not contain factually correct information.

Extra-territoriality is the essence of the Bill. We are dealing with crimes committed abroad, particularly in countries without our centuries of tradition, whose legal systems are less developed than ours and where it is much more difficult to deal with such problems. A number of references have been made to the War Crimes Act 1991—the recent and most relevant example of claiming extra-territoriality. I have expressed reservations about that legislation. I supported it in principle, as did many others, but I have the gravest doubts about its effectiveness in practice. Since our discussions in Committee, the first charges have been brought against a man in this country for offences committed abroad during the second world war. We now await the outcome of that case. Millions of pounds have already been spent in bringing that man to court and the police exercise involved has made huge demands on already limited resources, but there is no guarantee that even that one case will achieve a conviction. We must therefore act responsibly when proposing legislation calling for extra-territoriality which has little chance of success.

The amendments are optimistic. Let us consider the technical aspect of the message. How feasible is it that we should be able to identify the messages and identify an offence? How would they be identified, whether on the Internet or on the telephone? Are we to tap everyone's telephone to find out how individual calls are gauged? Even the word "message" raises difficulties. I do not believe that a simple statement of fact could be held to be a message without a great deal of circumstantial evidence. A message must mean the conveying of a sentiment from one person to another, not a neutral statement of fact. There would be scope in court to mount a defence against a simple bulletin board, which might be described as such, but could be presented as something quite different.

What about the scope of the Internet? Like many of my hon. Friends, I am not the most technically qualified. However, I understand that the Internet contains a wealth of information beyond imagining. Who will scan that vast amount of information to identify the offence dealt with in the amendments? We must be careful not to raise too many expectations.

As a non-lawyer, I find it difficult to accept the charge of incitement. I do not think that it is appropriate to the activity described. My understanding of "incitement" is reflected in the recent events in Brixton, when the lawyer Rudy Narayan addressed a crowd in the street and threatened retribution against the police for the death of a

man in custody. His remarks caused an outbreak of rioting in the streets and damage to property. I believe that that is an example of incitement.

The sexual abuse of children does not involve someone going on to the streets and inciting otherwise normal people to comply: it is a case of seeking willing—indeed eager—partners to engage in the evil practice of child abuse. If two willing parties wish to come together through the Internet or by telephone, it will be extraordinarily difficult to identify whether incitement has occurred. In a simple information exchange, the charge of incitement will be difficult to nail down.

Nevertheless, I am anxious that the Bill should achieve as much as it can and I support the amendments. In describing the Bill as a "shield" for the protection of children around the world—to quote my right hon. Friend the Minister—we must be modest in our aspirations and not allow ourselves to be carried beyond the realms of reality.

Lady Olga Maitland: I give my wholehearted support to the amendments—they are so important that it is extraordinary that the provisions were not included in the Bill in the first place. How can we contemplate taking tough action to curb the sexual abuse of children by tourists if we deal with only half the issue? Clearly, the means by which such people communicate with each other is the key to the Bill.

I find it difficult to comprehend the sheer scale of the sexual exploitation. Most people find it hard to believe that paedophiles are sophisticated and devious people who will go to any lengths and use any means to achieve their ends. Although the amendments try to close any loopholes through which such people could dodge, weave and dive in an attempt to achieve their evil objectives, I endorse the remarks of my hon. Friend the Member for Romford (Sir M. Neubert) who said that we should not get too excited about the Bill being the whole answer, as it is only part of a package that may have to be addressed later with other legislation.

I accept that it will be difficult to prove and to find positive evidence that people have sent offensive material electronically. Earlier today I raised the question of telephone calls. Will hearsay evidence of a telephone call be admissible, or may telephone calls be intercepted, thereby taking us into a difficult area? Perhaps there should be some cut-off point at which we say that, because an alleged offence is so terrible, we should consider that course of action. Faxes are tangible objects that may be presented as evidence. I believe that messages by fax can also be intercepted, but I am not sure how.

Mr. John Marshall: People can send them to the wrong number.

Lady Olga Maitland: Yes, but they would then be categorised as unsolicited material. As my right hon. Friend the Minister pointed out, if one is the innocent recipient of such material, one is not liable to be charged with any offence.

All hon. Members have referred to the fact that the Internet—which I believe may become a modern curse—is too vast and it is all too easy to surf the system and pursue one's own ends. Although we have the power to make it an offence to receive or pick up offensive material from the Internet, I am concerned that it will be extremely difficult to produce evidence of that act. How do we link the material with a prosecution? I am not saying that the provision should not be in the Bill—it should be on the face of the legislation—but we must recognise the problem that my hon. Friend the Member for Romford pointed out. The Bill may not be the complete answer, although it is a very important step.

I urge hon. Members to cast their eye over the schedule of listed sexual offences. Any normal, decent human being who reads that list would shudder with horror—it highlights the fact that we must make the Bill work effectively. For instance, the Bill will deal with crimes of rape under the Sexual Offences Act 1956. Those offences include intercourse with a girl under the age of 13, intercourse with a girl under the age of 16, buggery, and indecent assault on a boy or a girl. When confronted with such a list, no normal human being could be other than utterly determined to protect our young people.

Children should be able to trust adults. When that trust is abused, we have a moral obligation to protect them in whatever way we can. Although there may be some doubts about the efficacy of the amendments, it is prudent to include them. We should remember that we are talking about children's trust. The amendments are important because they toughen the Bill and cause paedophiles concern that they may be caught. If the measures act as a deterrent, well and good. If they help us to catch sex offenders, even better: I believe that they deserve to roast in hell, and they certainly have the worst time of it in jail where sex offenders are shown no mercy. The amendments are welcome if they help to bring evil men to justice.

Mr. Batiste: I welcome the opportunity to contribute to the debate, for a number of reasons. First and foremost, I express my strong support for the legislation, and I congratulate my hon. Friend the Member for Hendon, South (Mr. Marshall) on selecting a Bill with such a worthwhile aim. It is relatively rare to win in the private Members' Bills ballot—I have not managed it during several years in this place—and my hon. Friend may be satisfied in the knowledge that he will have put on the statute book provisions that will make a significant difference to the lot of those around the world who suffer as a consequence of the actions of depraved, criminal perverts.

Having said that, I can give the Bill only two cheers, as I believe that it should go much further. We shall have to return to the issue with other more extensive legislation in the future.

Madam Deputy Speaker: Order. I remind the hon. Gentleman that we are not yet on Third Reading. We are debating two amendments.

Mr. Batiste: I appreciate that, Madam Deputy Speaker. However, my opening comments remove the need for me to make a speech on Third Reading. I shall now turn to the specific points arising from the amendments.

The amendments improve the Bill quite specifically because they reach, albeit tentatively, into the issue of extra-territoriality and extend the remit of the Bill to electronic communications. Without either of those steps forward, the Bill would be much more restricted.

[Mr. Batiste]

I have long been involved with extra-territoriality and Internet issues. "Extra-territoriality" is a tongue twister which is much easier to pronounce at 11 o'clock in the morning than at 11 o'clock at night, and it covers a wide range of complex issues. In the early to mid-1980s, the Americans sought to use it as an excuse for imposing their domestic legislation on other countries and, along with many other hon. Members, I fought strongly against that.

11 am

There is legislation on our statute book to enable British companies and individuals to resist the extra-territorial demands of countries such as the United States. It has therefore been assumed that extra-territoriality meant the imposition by one country of its views on others, but times have changed and extra-territoriality now means something quite different, as it does in the context of today's debate. In terms of the development of the thinking of the House of Commons, it went a great deal further when we introduced the War Crimes Bill. A number of hon. Members who are here today were, with me, strong supporters of the War Crimes Bill.

The rationale behind that measure and the reason why so many of us want this Bill to progress is that, whatever the problems are—and we accept that there are problems in relation to evidence and bringing a case within the confines of the procedures of the British courts—nevertheless, in today's world, with its rapid communications, electronic media and the internationalisation of crime, there must be a residual responsibility on a state such as ours to punish its citizens for serious crimes that they commit overseas.

It may not be a primary responsibility, because it is better for such crimes to be punished in the country where they are committed, but if for any reason that is impractical or impossible, or if extradition is impracticable, we in Britain should be able to undertake criminal proceedings. At the end of the day, those who commit serious crimes—particularly crimes which affect small children in distant parts of the world who are unable to protect themselves and whose Governments may not be able to protect them—should not be able to return to Britain and see it as a safe haven in which to plan and plot further trips in future.

I accept what my right hon. Friend the Minister said about the importance of trying to establish the certainty and success of prosecution and imposing serious penalties on those being convicted. Given those reservations, the difference between what my right hon. Friend said this morning, and what I, other hon. Members and many people in Britain believe, is that there is also a declaratory role for the law. Many paedophiles have a status in society and are afraid of exposure. In some circumstances, the fact that there is a mechanism in place which could bring them to book will be a powerful means of protecting some of the most vulnerable people in the world.

I have spoken out on many occasions against extra-territoriality as a form of legislative colonialism which seeks to impose the domestic laws of one country upon other countries, but this is a different and benign manifestation of extra-territoriality in which we seek to ensure that our citizens observe the laws of this land and do not regard Britain as a safe base from which to commit serious crimes overseas in the belief that they can escape retribution in the countries where those crimes are committed.

I now turn briefly to the Internet. Although the amendments before us are entirely sound in relation to newspaper articles, advertisements, letters and telephone calls, where there is a clear connection between the person sending a message and the person receiving it, the Internet creates entirely new and complex problems for law makers. The Internet opens up free speech around the world in electronic form. I do not believe that it is possible or practicable—although some people say it might be—to prevent that, and to try to do so would be to deny free speech. However, if people break the law in the context of expressing themselves they should be punished for it.

I see no reason why my determination to protect people's right to self-expression on the Internet should not be coupled with an equal determination that those who abuse the right to free speech through the electronic media should be punished. It may be technologically difficult, but I am sure that the technology will develop alongside the Government's determination to make sure that the electronic media are not abused. We protect the right of free speech, but there are a series of criminal offences relating to its misuse to incite riots, to which reference has been made, and other crimes. I see no reason why the same framework should not apply to the Internet.

I have looked carefully at the drafting of the amendments, and although I was delighted to hear the clear assurances from my right hon. Friend the Minister that he believes that the amendments extend the legislation to the Internet, I am not quite so sure about that. In particular, the amendment refers to

"a message . . . sent or received in England and Wales".

I find it difficult to see how we can express in such geographical terms a message that is put on a bulletin board by a person in Bangkok, for example, which does not exist in any physical form, but merely in electronic form, and which can be accessed by any person around the world.

I am not sure that such a message is ever "received". It would have been better to express it in terms of a message being read by a person in the United Kingdom, as that would have little or no ambiguity. I do not profess any real expertise in the drafting of such legislation, but I hope that the assurance that my right hon. Friend has given is correct.

Mr. Garnier: Would the use of the word "published", as it applies in the law of defamation, be of assistance? In that sense, it means making known to a third party. Would that be of assistance to my hon. Friend?

Mr. Batiste: We are fortunate to have available free of charge the advice of one of the most eminent barristers in the country on such matters. I am sure that my hon. and learned Friend's wise words will be taken on board by my hon. Friend the Member for Hendon, South, who has done such a splendid job in promoting the Bill, to see whether there is a weakness that could be addressed.

It is clear that, throughout the House and throughout the country, there is a strong determination that we should live up to our obligations under article 34 of the United Nations convention to prevent the sexual exploitation of children around the world. The Bill takes a small step in that direction, and for that reason I strongly welcome it. Nevertheless, further steps need to be taken. If the

Government, in their review of the issue of extra-territoriality, can go a step further, there will be a wide welcome for further legislation.

Amendment agreed to.

Clause 6

SCOTTISH PROVISION

Amendment made: No. 2, in page 4, line 26, at end insert—

'( ) Any act of incitement by means of a message (however communicated) is to be treated as done in Scotland if the message is sent or received in Scotland'.—*[Mr. John Marshall.]*

Order for Third Reading read.

11.9 am

Mr. John Marshall: I beg to move, That the Bill be now read the Third time.

I hope that I am reflecting the mood of the House when I say that, following our debates on Second Reading, in Committee and on Report, I detect widespread support for the Bill coupled with a feeling of regret that it may not go as far in some respects as some of my colleagues would like. One of the things that appals the whole country is the depths of depravity to which some individuals will go and the extent of the problem in certain other countries.

An article in *The Times* on 10 April stated that some 200,000 Nepalese children had been sold into sexual slavery in India. It stated that, in Thailand, as many as a quarter of a million children were in brothels and that, in Colombia, one third of all prostitutes were thought to be under the age of 14. One could go on and refer to countries such as Romania where many children become prostitutes at an age at which, in this country, one would hope that they enjoyed the innocence of childhood.

Those countries have a great deal to do. They must realise that the good of their children and the future of their country must come before taking a few cheap bucks from disgusting western tourists. That is the problem with which they have to deal, but we must try to help them. I do not pretend that the passage of the Bill will put an end to the disgraceful activities of British child molesters who travel abroad to pursue their disgusting activities. It will not. I suspect that, at the end of the day, there is nothing that we can do to stop some of them, but we can certainly make it more difficult for them. We can ensure that individuals in this country who seek to make a trade or a business out of encouraging other people to molest young children find it much more difficult to do so.

Those who attended the Second Reading debate will remember that I referred to a publication that was going around Hampshire. People were paying a large amount to get a guide to sexual holidays in the far east and Latin America. I was pleased to hear that, the week after the Bill received its Second Reading, the individuals who had been distributing the publication decided that it had become too hot to handle and took it out of circulation. We have done some good already.

I shall briefly remind the House of what the Bill does, clause by clause. Clause 1 makes it an offence to conspire in England and Wales to commit certain sexual offences against children abroad. Conspiracy means agreement on a course of conduct. It would certainly include arrangements between a tour operator and a client to provide travel facilities where an acknowledged purpose of the trip was the sexual abuse of children. But the clause goes much wider than that.

Many of these creatures, although they make their own arrangements for travel and accommodation, plan their trips with others of their kind. It is not unknown for a group of paedophiles to talk in the United Kingdom about what they might do when they go to, for example, Thailand, Romania, Colombia or Peru. They plan their trip, and then go abroad and engage in their disgraceful activities.

Clause 1 also sets certain conditions which must be satisfied before the conspiracy amounts to an offence under our laws. The conspiracy must lead to an act or event taking place outside the United Kingdom. That, of course, is what the Bill is all about. If the act or event contemplated takes place in this country, the conspiracy is already an offence. The act or event must be an offence in the country in which it is intended to take place. That is the so-called dual criminality test, and it is an important safeguard because we must recognise that the age of consent is different in, for example, various European Community countries.

We in Parliament rightly consider that it is our function to pass laws that apply in the territory of the United Kingdom. We would take great exception if the law-making body of another country attempted to pass laws that would apply here. If, for example, an Arab country where drink was forbidden made it an offence for someone to go to Scotland and have a glass of the local nectar, we would regard that as offensive against our laws and against that great industry. I am sure that no one agrees with that point more strongly than my right hon. Friend the Minister.

The intended act must amount to conduct that falls within the scope of the sexual offences against children set out in the schedule. The final condition is that some part of the conspiracy, but not necessarily all the conduct that constitutes the offence, must take place in England and Wales. I think that it would be better to say the United Kingdom—and long may it remain a united kingdom—because all parts of it are covered by the Bill. The hon. Member for Cumbernauld and Kilsyth (Mr. Hogg) made the good point in Committee that the Bill emphasises the need for a United Kingdom Parliament. If we had a devolved Scottish Assembly legislating on Scottish matters, there could be different rules in England and Wales, and in Scotland. I note the way in which hon. Members intervened on that issue.

Clause 2 makes it an offence to incite another person to commit certain sexual acts against children abroad. Incitement is the act of encouraging others to do something. The amendments to which we agreed earlier have strengthened the powers in the Bill. People who use informative advertising, as they would call it, by putting messages on the Internet will now be covered by the Bill. The Bill could include advertising material in the case of tour operators. However, if two or more perverts discuss where to go to indulge in their activities, any encouragement one gives to the other may well amount to incitement.

The other clauses give the law enforcement agencies a good chance of erecting a substantial barrier against these disgusting activities. The penalties under the Bill are substantial, and for certain acts of conspiracy the penalty could amount to life imprisonment. That shows how strong and tough the legislation can be.

[Mr. John Marshall]

If we are to put a stop to those disgusting activities and children of eight, nine and 10 being sold into a life of sexual perversion at a time when they should not know anything about sex, it is up to the Governments of these countries to move. We have seen that they are willing to move strongly against the drug trade. They must move just as strongly against prostitution by young 10, 11 and 12-year-olds.

It is up to the Governments of Thailand, the Philippines and Latin America to say that they want to stop that disgusting trade and that they put the future of their children first. Those Governments must ensure that their children lead a decent life, rather than having the whole of their lives blackened by activities that take place when they are so young. They should not be affected by the disgusting perverts who travel to other countries and who engage in such disgraceful behaviour.

Some lives may be so blackened by those individuals that the children involved lead a very short life, because they may be infected. If they are not infected physically, their morale and their psyche are infected for the rest of their days. Anything that the House can do to put a stop to that trade and to penalise those wicked individuals who seek to make money out of it is to be welcomed. I commend the Bill to the House.

11.20 am

Mr. Cox: I pay the warmest tribute to the hon. Member for Hendon, South (Mr. Marshall). Many of us regard him as a good friend, and he has done a great service to the House and to the country by presenting the Bill. We all know, whatever part of the country we represent, about the correspondence that we receive from constituents calling for tough legislation. Nothing sickens people more than the sexual exploitation of children and, especially, the behaviour of nationals from our country who travel abroad solely to engage in the abuse of young people. We also know, because the point was made by many hon. Members on Second Reading, in which countries those practices take place.

We have also had information circulated to us by highly respected organisations that have long campaigned for major changes in legislation, not only in our country but throughout the world. No organisation has been more involved than the United Nations Children's Fund. UNICEF has done superb work for many years, not only to reduce the sexual abuse of young people but to improve the general overall welfare of young people and children throughout the world.

As I said on Second Reading, I am one of the members of the House's delegation to the Council of Europe. I serve on the Social, Health and Family Affairs Committee and, at the time of Second Reading, as the rapporteur I had just completed and presented the strategy for children to the Assembly of the Council of Europe. That strategy was fully supported by UNICEF and I was greatly aided by that organisation, which sent officials from the United States to work with me and other colleagues in Strasbourg on that important legislation. In view of the importance of the Bill, it is interesting that the European strategy for children had overwhelming and virtually unanimous support from every member state of the Council of Europe. That is now a large organisation embracing not only the countries of western Europe but virtually all the countries from central Europe, including the new Russia.

In Strasbourg next week, next Thursday and Friday, there will be a two-day conference—a world congress—on the sexual exploitation of children, organised by the Council of Europe and UNICEF. That is why the Bill is so important.

Lady Olga Maitland: When the hon. Gentleman goes to Strasbourg, will he raise with his colleagues the issue of extra-territorial jurisdiction? Can the hon. Gentleman tell the House how other countries are working on that issue?

Mr. Cox: The hon. Lady makes an important point. Many of the points that she has made in her interventions have been raised by many other hon. Members. I did not table any amendments to the Bill, but I sympathised very much with the feelings of other hon. Members that what was proposed did not go far enough. I will come on to the points that the hon. Lady has raised. Next Friday, I will chair the congress's session and I will certainly seek to raise her points.

The Council of Europe and UNICEF regard the conference as very important. Senior politicians from European countries will attend, as will senior officers from Interpol. UNICEF officers will attend from the United States and a senior judge of the European Court of Human Rights will attend and speak. That shows the great importance that is attached to the conference.

Many of the subjects that the hon. Member for Hendon, South has raised on Second Reading, in Committee and today are connected to the issues that we will discuss next week. The sessions of the conference will cover

"sexual exploitation, pornography and prostitution of, and trafficking in, children and young adults".

The Minister of State has an opportunity today to give the House some idea of the Government's involvement in the conference. I am sure that we are all pleased that the Bill is in no way a party issue. Sadly, we often destroy good private Members' Bills, irrespective of who has introduced them, because party politics come into play. Thankfully, that has not happened to the Bill so far, and I do not intend to do that today. The Bill is far too important for anyone to indulge in that kind of behaviour, but it is important that we learn what attitude the Government will take to the conference next week.

Hon. Members have spoken today about the ways in which information is now circulated. I remember the impressive speech made on Second Reading by the right hon. Member for Selby (Mr. Alison), who has made one or two interventions this morning. No doubt he will speak later if he catches your eye, Madam Deputy Speaker. The right hon. Gentleman outlined the type of information and publicity that is sent out by companies, and I was delighted to learn from the hon. Member for Hendon, South that, after comments made on Second Reading, one company decided that enough was enough and that it could not continue to operate. I hope that we will hear about more such decisions by such companies.

We have also heard about the Internet. Many of us have some idea of how it works, but the extent of the power base now being established must concern all hon. Members.

In our previous debate, the Minister fairly answered interventions and outlined the real difficulties that face Britain and other countries trying to take action, but which are restricted by current laws. I hope that this Bill is but the first of many that will help to overcome that problem.

Item 10 on today's Order Paper is the Second Reading of the Sexual Offences against Children (Registers of Offenders) Bill, to be introduced by my hon. Friend the Member for Rossendale and Darwen (Ms Anderson). I hope that there will be some progress with that Bill because it ties in closely with this Bill and the efforts of the hon. Member for Hendon, South. When I speak to those who work with young children, such as probation officers, the police and UNICEF, they say that a register would provide them with a wide base from which to operate against offenders. Although that Bill will not be reached today, I hope that, when it comes before the House in the coming weeks, it will be given a fair chance of progress.

Madam Deputy Speaker: Order. I am sorry to interrupt the hon. Gentleman, but I must remind him of the rule that Third Reading debates deal with the contents of the Bill before the House.

Mr. Cox: I fully accept your comments, Madam Deputy Speaker, and I will not pursue my point. I simply wished to draw the attention of the House to the fact that we will shortly discuss another Bill that is relevant to the Bill that we are discussing.

Mr. Michael: Several times during the passage of the Bill, hon. Members have paid tribute to the work done by my hon. Friend, on our behalf, in the international arena. It is important to know what image we present on this Bill and wider. Is the United Kingdom seen as being active enough in the area in which my hon. Friend plays a leading role in debate?

Mr. Cox: My hon. Friend's question is interesting. I have already referred to the two-day conference in Strasbourg next week. That has been in the making for a long time; it was not a thought that suddenly popped into someone's mind a month ago. I have the provisional agenda for the conference, and I regret to say that it appears that no British Minister will attend.

Mr. Maclean: No Minister will attend the conference next week because it is a planning meeting for civil servants. The Under-Secretary, my hon. Friend the Member for Leeds, North-East (Mr. Kirkhope), will attend the conference proper at Stockholm in August, and he will play a leading role.

Mr. Cox: I had intended to question the Minister on that point, so I am delighted to hear his assurance that a Minister will attend the Stockholm conference. I do not want to pursue the matter at great length, but I must point out that senior Ministers from other countries will attend the conference in Strasbourg next week. I referred to the Stockholm conference on Second Reading. I shall attend as the Council of Europe representative.

Delegates' speeches, which give a clear outline of Governments' thinking on any issue, are important, but so are the informal discussions and meetings that take place. At Stockholm in August and, I hope, in Strasbourg next week, the important points raised by the hon. Member for Sutton and Cheam (Lady Olga Maitland) will be dealt with, not only in the papers presented by speakers but in informal discussions among colleagues from all countries.

Mr. Maclean: I am grateful to the hon. Gentleman for giving way again. He has been kind and even-handed in his remarks. He pointed out the importance of politicians attending conferences. Perhaps he will take this opportunity to put on the record a tribute to the National Criminal Intelligence Service, which picks up where politicians leave off and pursue paedophiles around the world to bring them to justice. Can he tell us, from his experience and knowledge, whether any other country in Europe has a criminal intelligence service as dedicated or as experienced as the NCIS in this activity or as good at bringing paedophiles to book?

Mr. Cox: I readily join the Minister in congratulating and appreciating the work of the NCIS. I am delighted that Britain is in the forefront of such work. However, other countries are also deeply involved. All countries need to put proper machinery into operation. That is why a senior official from Interpol will attend the conference at Strasbourg next week.

I warmly congratulate the hon. Member for Hendon, South on introducing the Bill. It deals with an issue on which much work still needs to be done—and, I am sure, will be done by hon. Members of all parties. As I have said, it is not a party issue. There is enormous support from organisations in this country. We also have the support of our fellow countries in Europe and others around the world. I hope that the Bill will become law. As has already been said, it will be the first of many further such Bills aimed at preventing the appalling abuse that, sadly, is carried out by our nationals and those of many other countries against often totally defenceless young children.

11.37 am

Mr. David Evans (Welwyn Hatfield): I warmly congratulate my hon. Friend the Member for Hendon, South (Mr. Marshall) on bringing the Bill before the House.

I was tempted to make a modest contribution by what my right hon. Friend the Member for Selby (Mr. Alison) said on Second Reading:

> "You, Mr. Deputy Speaker, almost certainly agree that nearly every aspect of the sexual abuse and molestation of children is shocking, and often unimaginably shocking. It is sometimes too painful even to bear contemplation. I think of the picture of the child chained to a bed and burnt to death in a massage parlour that was incinerated, by accident or by design, in an Asian country. That is what the police found. There is an almost unimaginably horrific dimension to the abuse of children, but that is what we are dealing with. Our motivation for sitting on comfortable green Benches on a Friday, with spring approaching, in an advanced western country, is the thought of that child chained to a bed and burnt to death."—[*Official Report*, 2 February 1996; Vol. 270, c. 1238.]

The Bill deals with a disturbing aspect of late 20th century society—the increase in the sex trade, and in particular paedophilia, which I describe as child molesting.

Only recently, society has received a stark reminder of the behaviour of paedophiles. Although Thomas Hamilton, who was responsible for the Dunblane massacre, was not a convicted paedophile, he has been linked to a paedophile ring. Tightening the laws surrounding paedophiles is a must. Police superintendents in England and Wales want convicted paedophiles to be forced to notify the authorities when they change their name or address so that they cannot slip back into society under an assumed identity and subject other youngsters to abuse.

[Mr. David Evans]

The House should support the Bill. It should certainly refrain from indulging in arguments about the rights of perverts. It is important that we view paedophilia and paedophiles in context, always remembering that the civil liberties of children must come before those of paedophiles. How often, to our extreme frustration and that of the general public, do judges and magistrates seem to favour the criminal, and victims feel that the punishment did not fit the crime? I very much hope that, when a paedophile is committed to prison for a life sentence, it is a life sentence.

People say to me, "He killed my daughter because he was drunk and driving his car. His sentence was to lose his licence for three years, and two years' probation." The sentence should have been 15 years in prison, because, in my book, he committed murder. Or I hear people say, "He raped my daughter, but the judge said, 'Send him on a holiday, the girl will soon get over it.'" Yes, we are now tackling the problem with longer prison sentences, but will the judges give the maximum sentence?

Why not castrate paedophiles and rapists straight away? Then the taxpayer would not have to foot the bill, and there would be more room in prisons for other offenders. In my view, convicted paedophiles should suffer the same fate as rapists.

My hon. Friend the Member for Hendon, South seeks to make it an offence to conspire to commit, or incite a person to commit, certain sexual acts with children abroad. The focus of the Bill is on stopping those who operate in the evil world of sexual exploitation of children, and limiting the opportunities of any would-be participants. As the country's lawmakers, we cannot simply turn a blind eye to the organisations which operate outside the United Kingdom, and arrange for financial benefit trips to third-world countries for men to violate children.

It is important that we as Members of Parliament send a strong signal to society that such behaviour will not be tolerated. That signal should not merely restrict the trade but end it completely.

To date, the Government have transformed the legal position in England and Wales with a series of tough new controls on videos, indecent displays, sex shops and child pornography. My right hon. and learned Friend the Home Secretary's Criminal Justice and Public Order Act 1994, which proved so controversial, introduced measures designed to tighten enforcement of the obscene publications legislation, including provisions to extend and clarify the law to cover simulated child pornography manufactured and stored on computer, ensure that improper transmissions were covered by the Obscene Publications Act 1959, and give the police new powers to arrest without warrant those who dealt in obscene material, and new powers of search and seizure.

My hon. Friend the Member for Hendon, South has introduced a Bill which continues in this vein, building on successive Conservative reforms to stamp out subversive and perverse behaviour. The aim of the Bill is that the operators and organisers as well as the participants would be found liable. I believe that that is right. We should make those who promote paedophilia subject to the same tough sentences as those who practise it.

Parliament should look closely at the means available to operators to promote and attract business. I am primarily concerned with the magazines that lie on the top shelves of newsagents nationwide. The porn industry has been one of the growth industries of the past 20 years. Newsagents, both independent and high-street branches—

Madam Deputy Speaker: Order. May I remind the hon. Gentleman of the point that I made not many minutes ago? The content of the Bill is the only proper matter for consideration on Third Reading. The hon. Gentleman is going rather wide of that.

Mr. Evans: May I point out that Ann Mayne of the Campaign Against Pornography highlighted how pornographic magazines were used by operators to promote such holidays? Access is easy; curbing it is difficult. As a country and a society, we adhere to the principles of freedom of speech, and we already have in place tough laws on obscene publications.

Sir Michael Neubert: In the context of the remarks that my hon. Friend has just made, will he with me deplore the apparent new practice of W. H. Smith of sending such magazines unsolicited to newsagents as part of a package of publications that they might sell? Is it not the role of a responsible public company to do rather better than that?

Mr. Evans: My hon. Friend hits the nail on the head. It is outrageous that such public companies should send directly to newsagents, with information that they should go on the top shelf in the shop, unsolicited magazines which encourage people to do exactly what we are trying to stop them doing. I agree with my hon. Friend's point.

I have also been informed that operators promote paedophilia through coded advertisements in the personal columns of broadsheets such as *The Times*. That complicates the issue, because it highlights the options available to operators to contact would-be clients, and makes the introduction of specific legislation very difficult. It also clouds the issue of legally proving guilt—defined as being a party to the conspiracy.

While adverts in pornographic magazines might be ambiguous or even overt, adverts in broadsheets will be coded and covert. That presents a problem in making those who publish advertisements promoting porn rings and sex holidays for paedophiles liable in the same sense—that they are a party to the conspiracy.

If adverts are covert and coded, publishers might not be aware of the true intentions of those who place them. Nevertheless, if advertisements are deemed by a judge to be sufficiently overt, it is only right that the title involved should be found guilty as a party to the conspiracy or incitement. Punishing not only the operators but those that carry advertisements that promote paedophilia is a necessary aspect of the drive to stop people profiting from the perverse fantasies of paedophiles.

That has two further implications. First, newspapers have an added responsibility for monitoring the advertisements that they wish to carry. Secondly, it provides an incentive for the publishers of pornographic magazines, the main channel for such information, to start regulating the advertisements that fill their pages.

One unfortunate but likely consequence of the Bill's introduction will be to drive operators even further underground. However, that is not a reason for not passing it. It may make guilt harder to prove, as operators will take more measures to cover their tracks and avoid explicitly declaring the true nature of trips abroad.

One of the focuses of the Bill is avoiding the use of the testimony of minors who have been violated. The focus is on proving beyond all reasonable doubt the guilt of suspected organisers and racketeers before fellow members of their ring or customers leave the country specifically to go on a pervert or paedophile holiday. If that cannot be ascertained, it seems inevitable that the investigating officers would require the testimony of minors from foreign countries to corroborate their evidence to prove guilt beyond all reasonable doubt. That would not necessarily defeat the object of the Bill, but it could be argued that it would undermine it.

The Bill relies on dual criminality. A would-be customer's conduct on a prearranged trip would need to violate the law of the land and that of England and Wales. For instance, organisers could send a person to Thailand on the understanding that young girls would be available, and arrange for girls of 15 years and upwards.

As 15 is the legal age of consent in Thailand, but is a year lower than in England and Wales, the Bill could not bring such operators to court. If men abroad then indulged in sex with girls under 15, that would be a case for the Thai authorities. The Bill makes no provision for a trial in the UK, as the organisers claimed that only girls over 15 years of age would be available.

Whether we should make men stand trial in the UK for such crimes, as opposed to allowing them to stand trial in the country concerned, is a vexed question. If the authorities involved will co-operate, it is largely irrelevant whether the case is heard in Britain or abroad. Without co-operative counterparts, our police force would be hampered in bringing a successful prosecution to court, in this country or any other.

There is a need to forge close co-operation at many levels for successful detection of such sex rackets. That statement appeals mainly to law enforcement agencies in other countries, whose record for co-operation leaves a lot to be desired. However, an effective working relationship between the agencies of law enforcement in the United Kingdom and other countries is essential if we are to be able to prove that operators in the United Kingdom are sending people on prearranged pervert or paedophile holidays.

The Conservative party is committed to giving the police the support necessary to convict criminals. I only hope that the same can be said for Opposition Members. I know that their record on that is patchy, to say the least. They too often seem to be concerned with the civil rights of criminals.

Mr. Michael: I realise that the hon. Gentleman has a reputation for introducing controversy where none exists, but the debates on the Bill have been constructive and cross-party. His partisan approach is not necessary, especially from a supporter of a Government who have doubled crime and allowed levels of violence to continue to rocket.

Mr. Evans: I do not wish to be controversial. There should be a greater sense of certainty and severity in sentencing. The Conservative Government, and especially my right hon. and learned Friend the Home Secretary, have not forgotten that prisons should not be holiday camps. Prison regimes should be tough—so tough that criminals want to get out of prison, and not try to get back in as soon as they can.

Madam Deputy Speaker: Order. I think that the hon. Gentleman has rather a short memory. I said that he should deal only with the contents of the Bill on Third Reading.

Mr. Evans: On paedophiles, my right hon. and learned Friend the Home Secretary—and I agree with every word—last December said:

"The full force of the law must be used against the evil people who sexually exploit children for money.

It is an abhorrent activity. We must do all we can to prevent it and protect children everywhere.

We have looked carefully at the problem and have decided the most effective way our legal system can deal with it is to extend our laws on conspiracy and incitement.

The proposals aim to catch and punish those who organise sex tours or who encourage those who travel abroad for the purpose of sexually exploiting children.

These depraved people will face the same tough penalties as they would face if they had committed these offences here.

We are looking for a suitable legislative opportunity to take this forward."

The opportunity is here today. The House supports the Bill, and so do I.

11.54 pm

Mrs. Llin Golding (Newcastle–under–Lyme): I want briefly to say how strongly I support the Bill and all measures to protect children the world over.

The Bill was intended as a small step in dealing with this growing trade in human misery. Since it started its passage through the House, however—because of the strength of feeling and commitment of many organisations and individuals and, indeed, the determination of hon. Members and those in another place—it has been obvious that we need to convince the Government that small steps will not do. We need larger steps.

More and more Governments are implementing legislation to catch and prosecute those perverted individuals. For example, in Thailand, which has been an area of great child prostitution and abuse of children, the Thai Government are moving in the right direction. The changes there should help and support the implementation of the Bill and should help other Governments to eradicate child prostitution.

Three years ago, the former Prime Minister of Thailand declared that the priority policy of his Government was to eliminate child sexual abuse, child prostitution and forced prostitution. That policy was reconfirmed by the present Government. Their strong, clear policy has yielded many good results.

Brothels and entertainment places that provide children under 18 years old for commercial sex have been raided, and a number of people charged. A special task force has been set up to suppress commercial sex business, child sexual abuse and prostitution. A child's rights protection division has been established within the office of the Attorney-General to help child victims

[Mrs. Llin Golding]

and to monitor child sexual abuse cases. All those measures should help with the implementation of the Bill, and the Thai Government are introducing more legislation and employing more people to control that evil trade.

The Thai Government have introduced a penal code under which rape or molestation committed against a child who is not over 15 years of age, even with the child's consent, is statutory rape or molestation, and the perpetrator shall be separately punished for each act committed. That strengthens the law in Thailand, and enables police there to inform the Government here what is going on.

The penal code also stipulates that whoever has sexual intercourse with a girl who is not over 15 years of age, with or without her consent, shall be punished with imprisonment of four to 20 years. If the victimised girl is under 13, the sentence is imprisonment of seven to 20 years. It also stipulates that whoever commits an indecent act on a child—boy or girl—who is not over 15 years of age, with or without his or her consent, will be punished by imprisonment not exceeding 10 years.

The penal code has many other provisions. For example, if the procurer forces a girl to have sex with another, he or she is liable to be imprisoned for between 10 and 20 years. That will help bring this evil trade to an end.

I am sure that we will strongly support the Thai Government in what they are doing. Another important thing they have done is make it easier for children to give evidence. They are proceeding with video evidence and are assisting child witnesses. I think that they must have read the Piggott committee's report on the giving of evidence by children, because they are introducing many of its recommendations.

The Bill has focused the Government's attention on the need for legislation. I thank the hon. Member for Hendon, South (Mr. Marshall) for introducing it, and for doing all he has done to help rid the world of this problem.

11.59 am

Mr. Alison: I echo the words of the hon. Member for Newcastle-under-Lyme (Mrs. Golding) congratulating my hon. Friend the Member for Hendon, South (Mr. Marshall) on taking on this prickly and, in many ways, disagreeable subject, plunging into the ramifications of the sphere with which we are dealing, nursing it through its gestation period in Committee and birth by Third Reading, and generally allowing himself to be exposed to the cold and hot winds of passion that blow from every quarter of the country and the House on him for sponsoring the Bill and seeing it safely on to the statute book.

I am sure that he and his constituents will be proud that his name will be associated—among a dazzling array of other initiatives and achievements that he has secured in the House—with this most necessary and desirable measure for the protection of people who are most vulnerable and unprotected.

One must also endorse and commend the Home Office and my right hon. Friend the Minister for his assiduousness in supporting and helping us to make the best of this measure in Committee. It is very much a sign of the Government's awareness of the strong case that could be made for the very vexed extra-territoriality argument that they have encouraged and assisted in the production of this measure, precisely because they are so anxious that everything possible should be done to help, even if they have reservations about some of the practical matters. I should be among the first to commend my right hon. Friend for the way in which he has helped us in Committee and for the positive attitude he has taken on the matter of his review of extra-territoriality.

As my right hon. Friend the Minister is so open-minded and open-hearted, and has such an open personality that he finds it impossible—none of us finds it easy—to discern the slightest hint or suggestion of duplicity or of misleading anyone, because of his fundamental attitudes on these matters, I detect that he is really not a great enthusiast, prima facie, for the idea of extra-territoriality, unlike his right hon. Friend the Minister of State in another place, for example, who is quite an enthusiast in that sphere. I very much hope that my right hon. Friend will continue to keep a thoroughly and genuinely open mind on this issue; I know that he is capable of it.

We often discover that lifeboats on liners sail round the world for many years without the canvas being stripped off them and attempts being made to launch them. That is not an argument for not having lifeboats on a liner. I very much hope and believe that, if there is even the slightest chance of the efficacy of extra-territoriality being available and applied in this sphere, the fail-safe approach will be to put the lifeboats on the liner.

I am grateful to the hon. Member for Cardiff, South and Penarth (Mr. Michael), who has guided our thoughts on this Bill from the Opposition Front Bench, and who has been so constructive about the approach to extra-territoriality in Committee and again today. I very much hope that the Minister will have discerned the extremely positive approach that Opposition Front Benchers are taking to extra-territoriality, and their insistence that that issue be debated further when we come to consider the Minister's review.

I conclude by expressing my thanks and the thanks of many colleagues in both places—not least the thanks of the hon. Member for Newcastle-under-Lyme—for the huge amount of helpful work, research and support that has emanated from the Coalition on Child Prostitution and Tourism. The coalition is composed of Anti-Slavery International, the Catholic Fund for Overseas Development, Christian Aid, the Jubilee Campaign, the National Society for the Prevention of Cruelty to Children, Save the Children (UK) and World Vision UK. That is a powerful coalition. Anne Badger, who co-ordinated it and supplied us with so much good material, and has sent in the coalition's evidence to the review on extra-territoriality, has done a superb job.

We are greatly in the coalition's debt; it is precisely the sort of body that is being active as non-governmental organisations in overseas countries. They are likely to be well placed to provide evidence of offences committed overseas in any court cases that may, in the end, materialise here.

I conclude by commending all those who have helped us so much, and my hon. Friend the Member for Hendon, South for the initiative he has taken.

12.4 pm

Mr. Garnier: As I said earlier this morning, I feel somewhat of an interloper in the debate, since I was not on the Committee where so many constructive suggestions were made as to the progress and content of the Bill.

I echo what has been said before—not because it is customary to do so, but because it is right that I should do so—by congratulating my hon. Friend the Member for Hendon, South (Mr. Marshall) on his good fortune and the exemplary way in which he has brought forward the Bill for presentation.

It is one of the best Friday Bills that I have had the pleasure of reading, because it commands the support of all sides of the House, is tightly drafted and is designed for the specific aim—I have no doubt that it will achieve it—of preventing conspiracies and incitement to do unattractive and revolting acts in foreign countries that no moral person could possibly condone.

By keeping my remarks as brief as I can, I do not wish to be thought merely to be giving cursory praise to my hon. Friend the Member for Hendon, South, who has performed a signal task. The House, the country and, as right hon. Friend the Member for Selby (Mr. Alison) has already said, his constituents, will remember that for a good many years to come.

I should like to concentrate on some aspects of the Bill, bearing in mind that this is its Third Reading, which strike me as of particular importance. In clause 1, the ingredients of the conspiracy to commit certain sexual acts outside the United Kingdom are set out.

There is a great mystique about conspiracy. It is often thought—I suspect by laymen and others—that there is something terribly magical about a conspiracy, but it is no more than an agreement between two or more persons to effect an unlawful purpose. The crime is in the agreement. I am sure that my hon. Friend the Member for Hendon, South and my right hon. Friend the Minister would agree that it is often difficult to get the evidence to prove the conspiracy, but the concept and definition of criminal conspiracy is remarkably simple.

That is just one of the reasons why I find the Bill so attractive. The definition is set out in such simple terms that every person who might be considering breaching its terms in the future will be in no doubt that that is what he is doing.

The conditions set out in the subsections to clause 1 are essential. One of the most essential, which I find so useful, is that in clause 1(3):

"The second condition is that that act or other event constitutes an offence under the law in force in that country or territory."

To some extent, that deals with the implied suggestion by my hon. Friend the Member for Elmet (Mr. Batiste), who spoke with great fluency and cogency, that we were imposing some legislative colonialism on other countries. The double criminality key acquits us of that offence.

There is no need for small children, the innocent victims of such offences, to be brought, at great peril and in fear, from their own lands to this country to go through the ordeal of having to give evidence in a Crown court, because the conspiracy or the incitement will be committed here. It may be that the eventual consequences of the conspiracies and the incitements will be abroad, but because the conspiracy and therefore the crimes that my hon. Friend the Member for Hendon, South so rightly wishes to stop takes place in this country—or at least elements of them take place in this country—there will be no need for the children to come to this country.

From my personal experience of the civil side of the law, I know that it is not always a good idea to introduce minors, those of tender age, into court because it leads to all sorts of unforeseen consequences, not only with regard to the progress of the trial but also with regard to the future lives of the children.

Mr. Alison: As a layman, I am following the trail that my right hon. and learned Friend has suddenly opened up to me—it seems to be absolutely fascinating. Is he advising us that any offence connected with or committed by a British citizen against a child in another country, such as sexual abuse, automatically implies that a conspiracy must have taken place, and that therefore the case is automatically susceptible to the provisions of the Bill? If that is the case, we have no problems about extra-territorial legislation.

Mr. Garnier: I am not sure that that is the case, because, clearly, there will be cases in which a British subject independently buys himself an airline ticket, goes to another country without conspiring with or being incited by anyone, and commits an act that would be considered a sexual offence against a minor if committed in this country. It may also be an offence to commit that act in the other country—for example, in Thailand. However, under the present law the fact that he commits the act in Thailand, is not prosecuted for it in Thailand and returns here does not make him guilty of an offence that would be brought within the terms of the Bill. If he conspires with or incites others while in England to do such things abroad, he will be caught by the Bill.

I hope that I am correct in saying that this is a limited Bill that attempts to create discrete crimes that can be dealt with positively. It fills a hole that needed to be filled. The Bill does not require under-age children to be brought to England to justify the prosecution. It seems to me a safeguard if people were worried that children would be brought back here to go through the ordeal of giving evidence in the United Kingdom courts. That is not a worry if the offences are committed under the Bill. That is of great assistance to us all.

My hon. Friend the Member for Elmet made the point that the primary responsibility for stopping this sort of misconduct does not lie only with this country. The hon. Member for Newcastle-under-Lyme (Mrs. Golding) gave us some examples of how Thailand is doing a great deal to fulfil its responsibilities, both to its own nationals and internationally. It is tightening its laws on this subject. However, I fear that that may be an isolated example—though I hope that I am wrong.

I hope that, when the Bill gets publicity in the international press—as it surely will—it will encourage other Governments to introduce measures to clamp down on sexual misconduct with children and other vulnerable people in their own states. Hon. Members will then be able to feel that they have done a service in passing the Bill on to the statute book, and that other countries will take up the battle cry and introduce their own legislation to ensure that they play their part.

A minor point concerned me relating to clause 1(3)—the double criminality point—which ties in with the point that I made in response to the hon. Member for

[Mr. Garnier]

Newcastle–under–Lyme. There may be some offences that are on the statute books of another country but that are never prosecuted.

I have a fear that some defence legal teams will say that, because the offences that we find abhorrent in this country are not rigorously prosecuted in other countries, it will be contrary to public policy, and the Crown Prosecution Service should be discouraged from bringing prosecutions. They may say: if the offences are never brought to book in another country, why should we penalise a potential defendant in this country? Several hon. Members have read out the available punishments for committing serious sexual offences in this country; perhaps the courts abroad are not so willing or so ready to impose the severest penalties.

I choose a ludicrous example to make the point, but let us assume that, in a foreign country, the maximum penalty for committing unlawful sexual intercourse with a girl under 16 is life imprisonment, but that, on the rare occasion that an offender is brought to a court and a conviction made, the offender is given a conditional—even absolute—discharge. I trust that our courts and systems in this country will not allow that to be taken into account in deciding the merit of a policy of prosecution.

If the offence abroad is a bad thing of itself, it must be prosecuted with rigour if it is conspired towards or incited towards in this country, and we should not allow other people's—perhaps less rigorous—views on the law of penalties to affect our decision-making process.

Mrs. Golding: Other countries have had the problems with young children giving evidence that we have experienced. That is why Thailand is making proposals to enable young children to give evidence in court more easily—we have already made progress with that in this country. As other countries realise that laws can be put in force, prosecutions may increase.

Mr. Garnier: I am grateful to the hon. Lady for that helpful intervention.

I have briefly discussed the conspiracy aspect of the Bill. I shall now briefly discuss clause 2—the incitement aspect. I must remind myself, if not others, that we are talking about the commission not of the substantive offences but, as the hon. Member for Cardiff, South and Penarth (Mr. Michael) rightly reminded us, of inchoate offences—conspiracy and incitement.

Incitement is not a difficult word; it is the encouragement of others to commit a crime. It is the step before the conspiracy. The person incited may be party to the conspiracy with the person inciting. The clause, and the Bill introduced by my hon. Friend the Member for Hendon, South, does not mean that innocent children from abroad need to come to this country to give evidence to support the prosecution of those who commit such offences in this country.

In addition to the general thrust of the Bill, what I like about the incitement clauses and the parts thereunder—I am looking now especially at clause 3—is the need for a joining of issues, presumably on paper, before the trial begins.

Clause 3(2) provides:

"Subject to subsection (3), a condition in section 1(3) or 2(1)(c) is to be taken to be satisfied unless, not later than rules of court may provide, the defence serve on the prosecution a notice"—

and then there is a list of things that a defence must include in the notice.

Some people may consider that that reverses the burden of proof and imposes on the defendant a burden that he would not otherwise face under our criminal law, but that interpretation would be wrong. All the clause does—it is a good example of the new policy in criminal trials, which has been in existence in civil actions for years—is bring before the judge, at the earliest possible stage, a joining of issues, so that time is not wasted in a court exploring matters that need not be explored.

I congratulate my hon. Friend the Member for Hendon, South on introducing the clause, because it will sensibly reduce the time that is often wasted on making investigations to produce evidence to go into issues that will not be at issue at trial. It will save time and money, and many people prosecuted under the legislation will be entitled to legal aid—although, if they have been on expensive holidays abroad, perhaps they will not. But much public money will be saved. That issue may not have occurred to people before, but clause 3 addresses it, for which I commend my hon. Friend the Member for Hendon, South.

I shall ask my right hon. Friend the Minister one question before I finish—I apologise for speaking for longer than I intended. Clause 3(4) states:

"The court, if it thinks fit, may permit the defence to require the prosecution to show that the condition is satisfied without prior service of a notice under subsection (2)."

I assume that that applies where the defendant has not complied with subsection (2), there has been no joining of issues on paper and the court may, of its own motion, allow a defendant to require the prosecution to show that the condition is satisfied.

What are the ground rules for allowing the court to think it fit? Perhaps either my right hon. Friend the Minister or my hon. Friend the Member for Hendon, South will respond to that question, if not immediately, perhaps in writing later.

I have spoken with sincere warmth about the work of my hon. Friend the Member for Hendon, South, and I hope that I can, unusually, extend that warmth to the hon. Member for Newcastle–under–Lyme (Mrs. Golding), who was a member of the Committee and clearly did a good job—if I may say so without sounding patronising. I congratulate and thank hon. Members who have contributed to the debate today, who have helped to make this one of the best Bills that this Parliament will have passed.

12.21 pm

Mr. Jenkin: I join the many voices in the Chamber in congratulating my hon. Friend the Member for Hendon, South (Mr. Marshall) on introducing the Bill. I have come here this morning in response to the steady flow of representations that I have received from constituents from all walks of life and to the pressure that has been exerted by organisations mentioned by my right hon. Friend the Member for Selby (Mr. Alison). I have also come in response to my own conscience on the horrors of the offences that we are discussing. It has not been a particularly enjoyable morning in the House of Commons,

but, as my hon. and learned Friend the Member for Harborough (Mr. Garnier) explained, it has perhaps been one of the most useful Friday mornings that we have spent in the House for some time, at least since the Bill's Second Reading. I congratulate the Committee on doing a good job.

I support the Bill and wish to express my constituents' support for it. But I also wish to express my constituents' anxieties about the continuing perceived shortcomings of the Bill. The amendments that we discussed earlier this morning were a further attempt to deal with the Bill's perceived shortcomings arising from the issue of extra-territoriality. The importance that people attach to the ability of British law to deal with offences in other countries should not be underestimated. The House should not underestimate the mystification that people express at the fact that the House and Parliament are unable to frame effective legislation in order to prosecute people who they believe have committed heinous offences.

Everyone in the House believes that those people have committed heinous offences, and we present ourselves as a sovereign Parliament. The public are therefore mystified as to why it is impossible to frame legislation to prosecute people for offences for which they should be prosecuted. In many countries where British citizens commit offences, systems of law and order, accountability and public administration are wanting—which is why such offences are committed there. Although there is legislation criminalising sex with minors in Thailand, for example, we know that there are few prosecutions for those offences. Constituents must be confident that Parliament is doing its job and implementing much-needed laws. I am concerned that in this Bill we are failing in that task.

I listened carefully to the explanation given by my right hon. Friend the Minister of State as to why particular clauses that would apply British law to offences committed outside the United Kingdom cannot appear in the Bill. I listened also to the debate between my right hon. Friend the Member for Selby and my hon. and learned Friend the Member for Harborough about the issue.

However, the vast majority of British people will be rather unsympathetic when faced with technical explanations—however satisfactory they may be for lawyers. It is impossible to explain to a layman why a sovereign parliament cannot decide whom it shall prosecute and for what offences, and then introduce laws to conduct that prosecution. Perhaps we need different criminal legislation in this country. It may be that our existing criminal court system and our conventions of criminal evidence, criminal prosecutions and our common law history are inadequate to the task.

Perhaps Parliament should establish a new court with special rules of evidence, special procedures and a special judge to deal with offences that are committed extra-territorially. Perhaps that system should be constructed in isolation from the common law which pervades our criminal justice system. We may have to create a different branch of law through primary legislation to deal with the problem. If the powers that be retreat into technical argument and cower behind the reasoning offered by eminent Queen's Counsels or well-advised Ministers, it creates a lingering sense of unease that we are not doing our job properly.

Mr. Garnier: My hon. Friend seems to suggest that British courts should have extra-territorial jurisdiction in this and in other matters. Would he be content for courts in other countries—I refer particularly to the European Court or something of that nature—to have similar powers here? I know that my hon. Friend is interested in such matters.

Mr. Jenkin: As we know from the Swedish experience, courts in other countries have extra-territorial jurisdiction. If British nationals who had committed offences returned to certain countries, they could be prosecuted by the courts there. The comparison with the European Court of Justice is not a serious one. Parliament has given that court jurisdiction, through primary legislation, over the domestic law of the land. I do not suggest that we should persuade Thailand to grant jurisdiction to United Kingdom courts over Thai domestic law—that would mean granting powers equivalent to that of the European Court of Justice.

As it is difficult to adapt the existing system of criminal law prosecution in this country to deal with the new types of offences that are promoted across the world by new technology and in which vast numbers of people may engage through the cheapness of long-haul international travel, we can no longer be satisfied with the system that has developed without taking account of such considerations. If Parliament does not have the power and the imagination to adapt the British legal system to the present circumstances of widespread foreign travel and high technology, we shall cease to be the relevant institution that we should be in the minds of our constituents. I should like to leave that thought with the House this morning.

The Bill is a worthwhile measure. My right hon. Friend the Minister's explanations on the limitation of extra-territoriality were well put and I shall explain them to my constituents. I shall cut out the columns of *Hansard* and send them to those who have lobbied me about the Bill.

Mr. Michael: I am sure that the hon. Gentleman shares the concerns that have been expressed by others, but does he accept that the length at which he is pursuing a point that has been dealt with in detail in Committee is beginning to raise the thought that perhaps Conservative Members wish to draw out the debate to avoid what will obviously be an embarrassing debate for the Conservative party on the sources of money for their general election fund, especially from abroad?

Mr. Jenkin: I shall treat that intervention with the contempt that it deserves. I was completing my remarks.

I welcome the Bill and I shall convey to my constituents the explanations that my right hon. Friend has given. However, I shall leave that thought with the House about the future scope of the legislation, as we shall be dealing not only with these offences, but with many others which, in the international world and the global village in which we now live, may require laws with extra-territorial jurisdiction so that we can prosecute people who come to Britain having committed offences abroad.

12.31 pm

Mr. Congdon: The House and the country have a good tradition dealing with the difficult issue of child abuse. I was interested to read that in 1994 there were more than 2,200 successful prosecutions in Britain for the vile

[Mr. Congdon]

practice of child abuse. That is why it is even more important for the House to give the Bill a Third Reading so that it can proceed to the other place.

It would be quite wrong to have strong laws in Britain dealing with child abuse without there being any measures to prevent those people who have been inhibited by those laws from avoiding them by going abroad to indulge in perverted practices.

In reading the debates on the Bill on Second Reading and in Committee, I was interested to learn about the scale of child prostitution, in so far as it can be measured. The figures quoted were that there are 200,000 child prostitutes in Thailand and 60,000 in the Philippines. An appalling number of children's lives are ruined by the foul and awful trade in child prostitution. That is why it was right for my hon. Friend the Member for Hendon, South (Mr. Marshall) to introduce this important Bill.

Many of my constituents have written to me on the matter and the correspondence goes back some considerable time. I must confess that about a year ago I felt that we were making good progress. The right noises were coming from Home Office Ministers and I welcomed the proposal from my hon. Friend the Member for Hendon, South. I thought that it was great that we were putting measures on the statute book to deal with the trade in child prostitution.

As I said earlier, I was then somewhat mortified to get a lot of letters and postcards from constituents asking, "Why is it that you as Members of Parliament are sitting back and doing nothing about this foul, vile trade?" I was surprised when my hon. Friend the Member for Romford (Sir M. Neubert) said that the postcards he had received had no addresses on them. It may be that people in Croydon are more literate or more open than people in Romford—I do not know—but I certainly had a fair number of letters from people who gave their names and addresses.

My right hon. Friend the Minister's response was excellent. It set out clearly the Government's views, which we all share, about this foul trade and about the need to do something about it. That is why I welcome the Bill.

I share the concern of my hon. Friend the Member for Colchester, North (Mr. Jenkin) that the Bill does not go far enough in terms of extra-territoriality. He was absolutely right to elaborate on that point. It was a pity that the hon. Member for Cardiff, South and Penarth (Mr. Michael) intervened as he did. There is no doubt that people look to this House to pass legislation on crimes that they find abhorrent, and they want us to take further action. Having listened carefully this morning to the explanation of why the Bill does not go further, I understand the point.

The House has a tradition of passing legislation that is not just about bringing prosecutions, but about changing behaviour. The law that is always cited in that respect is the Race Relations Act 1976. There are other laws, some of which hon. Members have cited this morning, which make certain offences illegal. If one asks in a parliamentary question how many people have been prosecuted under that law and how many people have gone to prison, the number may be derisory. In a way, that does not matter because the important point is whether the law succeeds in changing practice—yes or no. I believe strongly that, regardless of the argument that it would be difficult to bring a prosecution against someone for committing such acts abroad, it would have been right extend the Bill in that way.

I now turn to what the Bill tries to do. In a sense, the same point about the difficulties of bringing prosecutions could be made about the Bill as it stands. I do not say this to criticise the Bill. It can be difficult to prove conspiracies and it can be difficult to provide the necessary evidence. However, I believe that the very fact of the Bill's getting on to the statute book will send a firm message to those thinking of going to countries such as Thailand to engage in perverted practices that it is just be possible that they or the people who are putting out advertisements will be prosecuted. That is likely to lead to a reduction in such offences.

I resisted intervening in the debate on amendment No. 1, which covered sending and receiving messages on the Internet. I had more doubts before I listened to the debate. I now feel that the amendment is likely to be workable. I suspect that the sending is far easier to prove than the receiving, but I presume that it would be possible for anyone, whether a policeman or someone else, to prove that a message can be received by logging on to the Internet and receiving it. It may be far easier to get proof in terms of the Internet than it would be in terms of telephone messages, which just disappear unless one has one of those infernal answering machines and even then the messages can be recorded over.

Although there may be difficulties in obtaining prosecutions under the legislation, the very fact that the House will pass the Bill will change behaviour, and we all wish to see that happen. I will continue to respond to my constituents and tell them that I am confident that the House of Commons is doing what it can to deal with that vile practice and trade.

I hope that, at a later date, Ministers—or perhaps another private Member—will feel that they can introduce an extension to the Bill along the lines that I have indicated. I am pleased to add my support to the Bill on Third Reading and I look forward to seeing it on the statute book shortly.

12.39 pm

Lady Olga Maitland: I add my congratulations to my hon. Friend the Member for Hendon, South (Mr. Marshall). His adoption of the Bill was typical of him, because he has never ducked difficult issues. I have always known him to be a courageous man with a strong social conscience. When we became aware that the subject needed tackling, I knew that we needed someone who is not squeamish, because it takes guts to go into the seamier side of life and not quail. I also admire my hon. Friend for pulling together a committed team, because, by working as a united force and doing its own research, that team has made the Bill so workable and worth while.

I find it very difficult to accept that people can be so utterly degraded and so disgusting as even to contemplate the sexual abuse of children that we have heard about. I am appalled that such people seem to have no sense of shame and no conscience about the damage that they must be doing or have done to defenceless children, boys and girls. When young people are abused in that way, they are damaged for life. There is no turning back. Their prison sentence has started once they have been assaulted for mere sexual gratification, and they do not stand a chance.

As my right hon. Friend the Member for Selby (Mr. Alison) pointed out on Second Reading—unfortunately, I was not in the Chamber for his speech, but I read it and thought he made his point powerfully—the children involved are often orphans. They are desperate, hungry, illiterate and probably far from home and have often been duped into taking drugs to make them more malleable. The thought makes me shake with horror.

The situation is made all the worse by the fact that the people who take advantage of the children are those who have had every opportunity that the first world has to offer. They are mostly prosperous business men, professional people and people from all walks of life. They are not simple illiterates who do not know any better—they do, and that makes the Bill all the more important.

The Bill deals with the important and core point: if people do not conspire and encourage others to commit such acts, it is less likely that the offences will happen on the scale that they do. Therefore, tackling conspiracy and incitement is a vital aspect of the Bill. I regard with wry humour the bottom of the first page of the Bill which states:

"The Bill will have no effect on costs to businesses."

My goodness, I hope it does. I hope that it runs out of business every little trade that sends people abroad to commit those acts. I hope that they all end up thoroughly bankrupt.

We must consider the scale of the sexual exploitation which has been mentioned in the House already. The 1995 Christian Aid report, entitled "An Abuse of Innocence", estimated that the numbers of children in prostitution in Thailand approached 250,000, and there are growing numbers in Colombia, Sri Lanka, Kenya, India, Vietnam and Cambodia. To my mind, there is no burning hell that is sufficient punishment for the people who prey on those children.

Earlier, hon. Members were anguishing about extra-territorial jurisdiction. We cannot duck that in the long term. When British nationals overseas act in the ways described, it is our moral responsibility to bring them to justice. If we need to bring laws into being to deal with that, we must do so.

I am disappointed that we are serving ourselves only half a loaf today, but we do so in the expectation that it will become the whole. Unless we tackle the issue with genuine energy, we will let down both ourselves and the aims of the Bill. Indeed, it would be a gross neglect of duty.

I accept that the Bill now goes a little further than intended because of the amendment moved by my hon. Friend the Member for Hendon, South dealing with the means of messages being sent to or received from overseas. At least that is a step forward. However, it is simply not good enough to say that the problems of extra-territorial jurisdiction are too legally tortuous to tackle and may be beyond us—and that even if we did give the courts such jurisdiction, it would be a token gesture; in short, worthless. I do not take that view. My view is that the offences are so deeply offensive and terrible that we are under a moral obligation to do all that we can to surmount the difficulties. Somehow, we must.

I accept that my right hon. Friend the Minister is concerned about the matter. He made a moving speech on this real problem when he addressed the Michael Sieff Foundation's conference "Child Sex Tourism—The Need For An Urgent UK Response". I welcome the fact that my right hon. and learned Friend the Home Secretary has instigated a review of our policy on this matter. It is right to examine whether the arguments that underpin the territorial nature of our jurisdiction should remain valid or whether we should go further.

We must take into account the changing circumstances regarding evidence. For example, some perverts return with videos of their sick activities abroad. Surely we could convict them on that evidence alone, rather than prosecute for the lesser offence of possession of child pornography. By taking a lateral thinking approach to the problems, the review body, when it comes into being, will be able to reach a positive conclusion on how to proceed. Its time will have been well spent.

What worries me is that, meanwhile, we have a long way to go. Perhaps we should examine what other countries are doing. Twelve have now passed extra-territorial laws allowing them to prosecute nationals engaged in sex offences in other countries. Those countries are: Australia, Belgium, France, Germany, New Zealand, Norway, Sweden, the United States of America, Iceland, Denmark, Finland and Switzerland. I welcome the fact that the hon. Member for Tooting (Mr. Cox) will be addressing a conference on this subject in Strasbourg next week. I hope that he will raise the whole issue of extra-territorial jurisdiction. I also hope that he will learn lessons from other countries and bring them home with him. I wonder why we cannot summon up all our resources and do the same as those other countries.

Another matter astonishes me. Surely we could seek out the evidence overseas ourselves, perhaps through Interpol or with the help of the National Criminal Intelligence Service. My right hon. Friend the Minister referred to the NCIS paedophile unit, which is very experienced. I do not understand why it cannot be asked specifically to take on research into these offences. I understand that the unit has already chased across the world on other paedophile matters, so its experience could be brought to good account.

We could seek bilateral arrangements with the police forces of other countries to help us to investigate crimes, gather evidence and get together the forensic materials. Most of the countries that we are concerned about have laws outlawing sexual trade, even if they are rather lax about doing anything about it.

When Lord Hylton introduced his own Sexual Offences (Amendment) Bill in the other place in February, he pointed out that police liaison officers had been sent from this country to overseas locations in respect of drugs offences. Why not then in relation to sexual offences? Is not a child abused every bit as serious as a drug offence? Does not a child come before drugs? Do not human beings come before drugs? I accept that drugs can have an appalling effect on human beings in other ways, but none the less we are talking about young, innocent people, and they have rights that we should put to the top of the agenda.

May I put a more positive light on the Bill? It may not be perfect. In many aspects, it leaves much to be desired, but it is better to get such a Bill on the statute book and get on with it rather than not act at all. At least it will be possible to make amendments at a later stage. That would certainly pass a clear signal that this society would no longer tolerate such behaviour.

[Lady Olga Maitland]

When he launched his review of sex tourism, my right hon. and learned Friend the Home Secretary declared:

"the full force of the law must be used against the evil people who sexually exploit children for money. It is an abhorrent activity. We must do all we can to prevent it and protect children everywhere."

The Government have always placed high value on children, and their safety and well-being, so I hope that my right hon. and learned Friend will not rest until he has stiffened up the Bill much further.

Lastly, a word for the countries where the child sex trade persists. I trust that talks are taking place at the highest level between our respective Governments to work together to curb this trade. There is evidence that, while it may be forbidden, the authorities turn a blind eye. A country can be regarded as truly civilised only if it guards and protects innocent young children with the same dedication as we do here. Authorities the world over must be pressed to close down their child brothels and prosecute.

Mr. Michael: Does the hon. Lady agree that support for the 10th item on the Order Paper today, the Sexual Offences Against Children (Register of Offenders) Bill, would be a measure of the interest and civilisation of Members of the House, and that we should move forward on the Bill in order to debate not only that Bill but the Bill which seeks to regulate international contributions to the finances of the Conservative party and other Bills which are waiting their place for debate?

Lady Olga Maitland: I am disappointed by the hon. Gentleman's intervention. He brings a political dimension to an important issue, on which I thought that we shared genuine sympathy and concern.

Mr. Michael: We do, but I also share concern that the debate is being dragged out to avoid reaching the next Bill. There are some good points.

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): Order. This is becoming tedious repetition now.

Lady Olga Maitland: I shall conclude, Mr. Deputy Speaker.

Everyone here today is likely to be a parent or to have close young relatives. Many of us have brought children into the world. We bring them up, we nurture them, we are aware of their gentle innocence. It is understandably revolting even to contemplate any violence against them. A twisted pervert who plans for months his vile sexual programme and goes overseas in search of it deserves the full weight of the law. A life sentence is the only penalty that I could accept. It is hard to show mercy for a man who has committed such offences.

After all, such a man has condemned one child or perhaps many children to a living death. They could end up committing suicide through desperation or dying from infections such as AIDS. Why should that man enjoy the freedom to go out and commit further offences and leave the innocent to suffer for ever? I trust that the courts will not falter in following public opinion and imposing the appropriate penalties. I congratulate my hon. Friend the Member for Hendon, South on introducing the Bill. It is vastly overdue, and all the more important for it. I wish it speedy progress to Royal Assent.

12.53 pm

Sir Michael Neubert: As a sponsor of the Bill, a supporter on Second Reading, a member of the Committee that considered it and a participant in this morning's debate on Report, probably have no need to reaffirm my detestation of that most detestable of practices, the sexual abuse of children. Now that I am on my feet, I pay tribute again to the author of the Bill, my hon. Friend the Member for Hendon, South (Mr. Marshall), who has done the House and children a service by introducing it. I hope that it will shortly be given a Third Reading and pass to another place.

I rise briefly because we all recognise that no individual Member of Parliament has the resources or capacity to introduce such a measure without considerable support and research backing from organisations outside—perhaps even a Department of State. My thanks should be put on record to the Action for Children Campaign and especially to its director, Rev. Graham St. John-Willey. It has been active in the matter for six years, not just the six months since the Bill's introduction. Today marks some advance for its desire to bring this most disreputable of trades to an end, so far as we can achieve that by the Bill.

The Action for Children Campaign represents a large coalition of national organisations—principally, the National Council of Women of Great Britain. Altogether, more than 100 leading women's organisations and many others in churches, synagogues, schools, colleges, universities and youth organisations, have supported its programme. It must be gratifying for them, after all their efforts, that some of their hopes, especially in respect of sex tours, are being realised by what I hope will be the Bill's speedy passage through Parliament. I renew my congratulations to my hon. Friend the Member for Hendon, South and wish the Bill well.

12.56 pm

Mr. Michael: I again congratulate the hon. Member for Hendon, South (Mr. Marshall), who has done a service to the House and the public in bringing the Bill forward. That service has been limited by the limited nature of the Bill that was handed to him by the Government Whips Office; that has been reflected in the contributions of hon. Members on both sides of the House in Committee and on Report. Nevertheless, the Bill is an important stage in tackling this terrible problem.

The Bill is a good deal stronger because of the amendments agreed by us today than it was when it entered the House or when it came back from Committee. The amendments have made it a significant step in dealing with an international scandal and with the outrage of everybody in Britain at the actions of citizens of the United Kingdom who participate in and encourage the activities that it is intended to tackle. I am pleased that the Minister picked up the points that were made in Committee and supported the amendments tabled by the hon. Member for Hendon, South today.

Tough words from the Home Secretary or from the hon. Member for Welwyn Hatfield (Mr. Evans) are meaningless and of no value to the victims of paedophiles

unless we have clear and effective law backed by action. The contributions of some Conservative Members have been weighty and serious. However, although the contributions of the hon. Members for Colchester, North (Mr. Jenkin) and for Welwyn Hatfield and others may have been impelled by concerns expressed by their constituents, they were also impelled by the wish of the Government Whips Office to avoid discussion of the funding from abroad of the Conservative party, which is the matter that will be debated once this Bill has passed on its way.

I pay tribute to my hon. Friends the Members for Newcastle-under-Lyme (Mrs. Golding) and for Tooting (Mr. Cox), who have pursued the issue over not weeks but years. My hon. Friend the Member for Tooting made the important point that we need to know what is being done on our behalf and in our names in international debates and in terms of international action. He has played a major part in the international debate and in trying to move the issue forward.

In Committee, it was disappointing to hear the Minister of State say that he was content to leave actions abroad by British citizens to the law of those countries and the enthusiasm of the law enforcement agencies there. During those debates, he suggested that extradition and the offer of co-operation by the British Government were enough. I welcome his statement that the British Government would co-operate in the extradition of people who have been involved in such activities abroad and have been accused of them.

I also welcome the comments that the Minister of State made this morning about the activities of the National Criminal Intelligence Service. It is important to hear a Minister telling the House that he welcomes and supports activity to identify and pursue those who commit offences under the Bill and offences overseas. I believe that the Minister has responded to the quality of the debate in Committee and on Report and has increased his interest in the topic, and I welcome that.

The problem with the extradition and punishment or pursuit of offenders by third-world countries is that our citizens have economic power in the poor countries in which the most horrendous exploitation of children takes place. Fear of discouraging tourism by following through the tough action in a way that might inspire headlines in the United Kingdom can be a disincentive. Fear of that sort of response and its effect on the economy might have an impact. Therefore, a stronger voice from Ministers, saying that international action will be encouraged, is important indeed.

The hon. and learned Member for Harborough (Mr. Garnier) was right to say that the Crown Prosecution Service should not be lazy or ineffective in prosecuting offenders under the Bill. I am paraphrasing what he said, but it sounded as though he shared my concern that it will take little to discourage the CPS from making proper use of the Bill. I hope that the message that goes from the House is clear and shows that, in supporting the Bill, we want it to be acted upon.

We need pressure from the Government in wider avenues of activity. I hope that support will be given to item 10 on the order paper, the Sexual Offences against Children (Registers of Offenders) Bill and I pay tribute to my hon. Friend the Member for Rossendale and Darwen (Ms Anderson) for promoting it; it has much support. If the Government Whip, cowering in a corner, shouts, "Object!", I warn him and Conservative Members that our constituents and theirs will not understand and that their constituents will not forgive an obstruction being placed in the way of that worthwhile legislation.

Mr. Deputy Speaker: Order. I must remind the hon. Gentleman that debate must be confined to the Bill.

Mr. Michael: I am grateful to you, Mr. Deputy Speaker.

The hon. and learned Member for Harborough referred to enforcement. We need to make it easy for poor countries to take a tough line and to realise that our decision in passing this legislation is an important stage in the British Parliament's declaring its abhorrence of such activities abroad and its intention to do more to curb them.

The Government need to be proactive and to support the activities to which my hon. Friend the Member for Tooting referred. I hope that the Minister of State will take on board the suggestion that there should be some representation at the Strasbourg conference. If Ministers from other countries are attending, there seems to be no reason for us not to be represented—at least by a junior Minister. Perhaps we will send a more senior representative to the Stockholm conference in August. I am not sure whether sending an Under-Secretary of State rather than a Minister of State with the standing of the right hon. Member for Penrith and The Border (Mr. Maclean), who dealt with the Bill in Committee and on the Floor of the House, will send the right message. I welcome the fact that the right hon. Gentleman has dealt with the Bill today and in Committee. That sort of message needs to be carried to the Strasbourg conference as well.

The right hon. Member for Selby (Mr. Alison) referred to the coalition that has campaigned to end child prostitution abroad, and I join in the tribute that he paid to its work in briefing hon. Members.

The right hon. Member for Selby also referred to our support for an urgent debate after the completion of the Home Secretary's review of extra-territoriality. That review must be completed quickly. It must not merely be put into a cupboard in the Home Office but be brought to the House for a speedy debate so that we can examine it. Like the Minister, I, on behalf of the Opposition, do not want to raise unrealistic hopes, but we need to examine the results of the Home Secretary's review of the issues surrounding extra-territoriality and the options of strengthened action through the international community, perhaps by means of international agreements and legislation. We should be debating the Government's actions on extra-territoriality in the context of a determination to find the right way to take action on this abhorrent practice.

In that context, I welcome the Bill, which has the Opposition's support as a small but important first step towards obtaining adequate and tough legislation to deal with this issue.

1.5 pm

Mr. Maclean: I congratulate my hon. Friend the Member for Hendon, South (Mr. Marshall) on his excellent handling of the Bill during its passage through the House.

[Mr. Maclean]

United Kingdom law, of course, strictly prohibits the mistreatment of children, and those who commit offences against children in this country rightly face stiff penalties. The Government are committed to doing all they can to deter and punish those who sexually abuse children and to ensuring that, when prosecutions are brought against people who mistreat children, the criminal justice system treats child victims of crime fairly and with sensitivity.

Measures to ensure that the criminal justice process treats children fairly and with sensitivity include such provisions as allowing children to give evidence by closed circuit television, allowing video-recorded interviews of children conducted by the police or social workers to form the child's evidence-in-chief at trial, and allowing committal proceedings in cases in which children are involved to be bypassed so that they do not have to give evidence twice.

The paedophile unit of the National Criminal Intelligence Service maintains a computerised database of people actively involved in paedophilia. The unit collects, develops, analyses and disseminates information and intelligence relating to those people and works closely with police forces across the country. I must say that the unit is one of the best organisations of its type in the world. It may be the only organisation that so vigorously pursues paedophiles.

People who sexually abuse children are liable to be prosecuted for a wide range of offences. The offences include rape, unlawful sexual intercourse with a girl under 13, unlawful sexual intercourse with a girl under 16, buggery with a child under 16, indecent assault, and gross indecency with a child under 14.

The measures in the Bill are a further extension of the powers the Government have taken over the years to combat the menace that perverts pose to innocent children everywhere. The Government cannot and would not deny that, regrettably, a significant number of those perverts who travel to other lands to abuse children are British. It is right, therefore, that the Government should take the matter seriously and consider what measures they can take.

I have received many letters from people expressing their disgust that, in their view, the Government have not acted to take extra-territorial jurisdiction. Like my right hon. and hon. Friends, I share their anger at some of the despicable postcards that were sent to hon. Members on both sides of the House accusing hon. Members of not caring about or being idle in children's defence. Any organisation that sends such postcards, signed or not, should be ashamed of itself.

All hon. Members are concerned about children. No sensible Government, however, should introduce legislation unless they can be certain that it will be effective. Hon. Members on both sides of the House would be among the first to criticise the Government were the legislation to prove ineffective or counter-productive, or if it failed to work. It is because we want to ensure that legislation is workable that my right hon. and learned Friend the Home Secretary has announced a review of extra-territorial jurisdiction. If we can find a way to ensure that, in the particular circumstances of sex tourism, that jurisdiction would work and could be enforced effectively, we shall, as I have said repeatedly, not be backward in coming forward with legislation to tackle the problem.

I greatly respect the views that my right hon. Friend the Member for Selby (Mr. Alison) holds on this matter. The mere fact that I have set out, perhaps robustly on occasions, the practical difficulties that we would face if we were to take extra-territorial jurisdiction does not mean that I have prejudged the result of the review or, to use his words, that I am unsympathetic to or unenthusiastic about extra-territorial jurisdiction. It is not that, but I do not want the House to run away with itself on a wave of emotion and believe that it is a simple matter of waving a magic wand and producing a couple of clauses in a Bill to achieve that aim easily.

Of course the measures in the Bill are not the entire answer to the problem, but I reject the suggestion that they are just a small step along the way. Although the Bill is extremely important, only effective action by the tourist-receiving countries will make a difference on the ground and make life infinitely better for the millions of children around the world who are being abused—although abuse sounds too light a word for what happens to them.

I am encouraged by some of the steps that have been taken by the Philippines, for example, to crack down on sex tourists. I am puzzled by those who act as apologists for the inaction by tourist-receiving countries when they say that those countries cannot be seen to prosecute western tourists because of the harm that it will do to their tourist trade. Therefore they must pass the buck back to western countries to do something. Of course those countries will attract the scum of the earth if they fail to purge their sleazy child brothels. I suggest that their tourist trade might expand if families and decent people felt able to visit such places, free from the fear either of being thought a pervert or of having to consort with them. My message to those countries is, "Prosecute those scum and see your international standing rise." Soho was cleaned up by taking action there, not by exhorting people in foreign countries not to come to London.

The Bill is, as I said, another helpful weapon in the fight against the perverts. The Government have taken other positive steps. We work hard in international forums, particularly the United Nations General Assembly and the United Nations Commission on Human Rights, to combat child prostitution. We supported the adoption in 1992 by the commission of a programme of action for the prevention of the sale of children, child prostitution and child pornography, and have urged all countries to implement the measures that it contains.

We frequently raise the question of child prostitution in contacts with authorities in countries where that is a problem. As well as being a party to the convention on the rights of the child, we support the work of the committee on the rights of the child in monitoring the compliance of states with the convention.

The Overseas Development Agency provides assistance to several non-governmental organisation projects which involve the rehabilitation of street children and the associated problems of prostitution, drug abuse and violence.

The police service provides assistance to local law enforcement officers in countries where child prostitution is a problem directly and through participation in training sessions at the Interpol standing working party on offences against minors.

The Government whole-heartedly support the valuable participation of the police service in the work of the Interpol standing working party and the contribution of those officers who are working closely with their counterparts in the developing countries. We send politicians—me or my colleagues—to talk at international forums, and important though that may be, why we play a leading role came home to me loud and clear when I hosted a reception a few months for all the paedophile officers of Interpol around the world at the national headquarters of our National Criminal Intelligence Service.

Senior police officers from around the world have made contacts and exchanged business cards. They will not be hampered by diplomacy, protocol or convention, as they now have the telephone numbers of their colleagues in the Philippines, in Tokyo, in Pretoria, in New York and in Washington. They are now liaising and co-operating fully with each other to track down paedophiles. Britain is at the forefront of that process and it is at the centre of the hub through NCIS.

Mr. Michael: Does the Minister accept that what concerns us is not whether Minister talk at conferences but that they should listen, co-operate and, above all, lend their authority to action? That is what my hon. Friend the Member for Tooting (Mr. Cox) and I are asking the Minister to do.

Mr. Maclean: I am slightly at a loss to know what to make of the hon. Gentleman's intervention. I have read out a list of areas in the United Nations and in Europe where Britain has been at the forefront in getting these conventions. We not only talk at the convention stage but follow it up in ratifying and getting the measures through. Every time I go to one of these conferences, the first thing I say to other countries is, "Before you start making a new convention for the world, will you please sign up to all the other conventions that you talked about five years ago and did not sign?" I can say that in relation to drugs and extradition, in particular.

Of course the British Government will be represented at the Stockholm conference and at the meeting in Strasbourg next week. Officials from my Department will be there and they will be involved in the planning and preparation stage. A Minister from the Home Office will be present at the conference in Stockholm in August. The British Government will be represented there, and I hope that conclusions will be reached.

I am making the point that the rank of the Minister is not what is essential; what is essential is the follow-up to the conference. This country has a proud record of following up the things to which it signs up and of pursuing them vigorously. We have the finest police force in the world and a team of officers dedicated to tracking down paedophiles and child abusers wherever they raise their ugly heads in the world. We shall continue to combat child prostitution through our work in international bodies and with the British police force hard on their heels.

I congratulate my hon. Friend the Member for Hendon, South on introducing an excellent measure. I hope that he will understand when I say that, by sponsoring the Bill, his name will for ever more be linked with the sexual abuse of children: if his Bill is passed, as I hope and pray it will be, his name will be linked to this evil because, as a result of his efforts, another shield will have been raised to protect children from sexual abuse. My hon. Friend deserves the congratulations and thanks of hon. Members and the whole country for bringing the Bill forward and for his patience and kindness in piloting it through the House.

I also thank the hon. Member for Cardiff, South and Penarth (Mr. Michael) for most of what he said, for his support of the Bill and for what he said in his concluding remarks. However, I am sorry that he introduced the bogus point of item 10 on our agenda today, which I shall not address. He knows very well from reading the White Paper produced by my right hon. and learned Friend the Secretary of State for the Home Department that we promised a consultation document going into detail on registers of paedophiles and a sex register.

The hon. Member for Cardiff, South and Penarth also knows that my right hon. and learned Friend wrote to his hon. Friend the Member for Rossendale and Darwen (Ms Anderson) yesterday to explain that it would be nonsense to proceed with precipitate legislation on a sex register which has not been thought out when we have a full consultation document coming out in relation to all aspects of this matter. It is bogus to suggest that any objection to the Bill that may occur today shows that we are not interested in the subject.

Sir Michael Neubert: Is it not even more astonishing that the hon. Member for Cardiff, South and Penarth (Mr. Michael) is prepared to see such legislation go through on the nod this afternoon, without any debate at all?

Mr. Deputy Speaker: Order. We are beginning to stray, even though the Minister said that he would not do so.

Mr. Maclean: I would not want to stray in any circumstances. We have had a good debate this morning. However, more important than whether the House has had a good debate is the fact that we now have an excellent measure that can help to make a difference.

For all the reasons I have given, I am delighted to support the Bill on behalf of the British Government. I look forward to its speedy passage through another place and to its becoming law. I hope that the message goes out from the House today to paedophiles or perverts, wherever they ply their trade in the world, that we have another hammer against them now, and if they try putting their stuff on the Internet we have another chance to get them. Their days are numbered; the message to them is, "Stop it, and stop it now!"

Question put and agreed to.

Bill read the Third time, and passed.

Regulation of Funding of Political Parties Bill

Order for Second Reading read.

1.19 pm

Mr. John Spellar (Warley, West): I beg to move, That the Bill be now read a Second time.

I am pleased that the Government have created the opportunity for a fuller discussion of the Bill; after all, leave was given to introduce it by the margin of 163 votes to 62. I am not sure why the Government pulled the rug from under the Pensioners Earnings Bill, which was introduced in 1994, but the change is extremely welcome. I do not know whether the change represents a thawing in the ice age of stone walling by the Government. We hope that they do not try to talk the Bill out and prevent further detailed consideration in Committee of this vital democratic measure.

While paying tribute to those who helped to bring the measure to today's debate, we must pay tribute to the Prime Minister. In January, before I sought leave to introduce the Bill, he put the issue of political funding firmly and squarely on the political agenda. He said:

"We know who pays 50 per cent. of the money that the Labour party gets".—[*Official Report*, 25 January 1996; Vol. 270, c. 476.]

He was absolutely right. We do know. It is all on the public record. Party accounts make it clear, as do the records of the certification officer for trade unions. Under strict regulations, unions must file their accounts and they are open and on the public record. Indeed, an annual report is published by the certification officer.

It is regrettable that no such transparency applies to Conservative party funding, which is shrouded in mystery and obscurity. A host of secretive companies and organisations, which I shall mention later—some created after the second world war—funnel secret funds into the Tory party. It appears that the Government are keen to keep it that way. It is, to use a phrase that was fairly common in January, a case of saying one thing and doing another.

When I sought leave to introduce the Bill, I referred to its three main aims. An extremely important one, which I shall discuss later, was that of prohibiting foreign donations. Hon. Members will note that there is no specific provision in the Bill to cover that, because we need to consider the fine detail. That is why you will see in the Bill, Mr. Deputy Speaker, that we have created a mechanism for examining the detail, reporting back and taking the matter further.

First, I shall expand on clause 1, regarding publication of donations. Many people, not only in the House but outside, may find it odd that, although as individual Members of Parliament we rightly have to declare our earnings, the Tory party machinery, which elects very many Members of the House, is able to maintain a wall of silence around the source of its funds. Essentially, the principle—

Lady Olga Maitland (Sutton and Cheam) *rose*—

Mr. Bernard Jenkin (Colchester, North) *rose*—

Mr. Spellar: I give way to the hon. Lady.

Lady Olga Maitland: Is the hon. Gentleman aware that there is no secrecy about the funding of the Conservative party? Seventy per cent. of donations come from our supporters throughout the country from teas, coffee mornings, luncheons, fairs, fêtes and the like. There is nothing secret about that. Any money that comes via a company must be declared in the company accounts, for everyone to see. Where is the secrecy? There is no secrecy. The hon. Gentleman is trying to cast slurs on and make innuendos about the Conservative party.

Mr. Spellar: I suspect that Mr. Asil Nadir must have bought an awful lot of teas and buns with £400,000 to have obtained value for money—unless he was seeking something else.

Mr. Richard Ottaway (Croydon, South): The lavender list was secret.

Mr. Spellar: The Whip mentioned secrecy. The reason for those donations from Mr. Nadir was unclear at the time that they were made. Only subsequently, after his other financial troubles and after he had fled the country, did it become clear. Indeed, the reason was so obscure that, when the matter came to court, the accountant for the Conservative party, Mr. Paul Judge, who took an unfortunate legal action against *The Guardian* at a cost of £300,000, said that, even though it was only two years later, the Conservative party had cleared out the records relating to the donation.

I shall take the hon. Lady's point further. I think that the Bill will help her and the Conservative party to clarify the matter. If the Conservative party had to publish proper accounts and make it clear where money came from, there would be no opportunity for the slurs and smears claimed by the hon. Lady, as the matter would be out in the open.

Mr. Tom Cox (Tooting): My hon. Friend has raised the name of Mr. Nadir, about whom we have not heard very much for the three years since he fled the country overnight. I hope that my hon. Friend will develop the point, because we are entitled to know about such matters. Mr. Nadir met senior members of the Conservative party—chairmen of the party—who, with their close associates, have made it clear that Mr. Nadir was seeking a knighthood and was willing to pay whatever it cost. We know that he paid about £500,000 in the hope of achieving a knighthood.

Mr. Spellar: I thank my hon. Friend. I thought that the hon. Member for Colchester, North (Mr. Jenkin) wanted to intervene, but he seems to have decided not to do so in the face of my robust reply to the hon. Member for Sutton and Cheam (Lady Olga Maitland).

The case of Mr. Nadir highlights strongly the sleazy sources of some of the money that goes into the Conservative party. My hon. Friend the Member for Tooting (Mr. Cox) rightly mentioned the strong correlation between donations to the Conservative party and the receipt of knighthoods and peerages. Obviously Mr. Nadir believed that his donations were the way to achieve those goals, even though the authorities caught up with him and the Conservative party reneged on its pledges to him—as it reneged on the tax claims that it made to the electorate at the last general election.

Lady Olga Maitland: The hon. Gentleman is not accepting the fact that, yet again, he wrongly interprets events and makes false slurs. There was no question of Asil Nadir being given a knighthood. He may have wished for one, just as some people wish for the blue moon. The Labour party is trying to place an interpretation on events which simply is not right: Mr. Nadir did not get his knighthood.

Mr. Spellar: The hon. Lady has reinforced my point: the Conservatives do not always deliver—Mr. Al Fayed was under the same misapprehension. One can understand how Mr. Nadir may have come by his misapprehension. When we examine donations from companies and major individuals—when they come to light—we discover that there is, to put it at its kindest, an extremely strong correlation between donations and the receipt of knighthoods and peerages for the managing directors, chairmen or board members of the companies involved.

The Bill makes a strong argument for the principle of transparency and the public's right to know the facts and to make an informed judgment. We can have a debate on whether the conclusions are right or justified, but for the debate to be informed, we need information.

Lady Olga Maitland: I am glad that the hon. Gentleman has brought up the subject of transparency. He should look to his party. Perhaps he might like to reflect on the comments made by the general secretary of the Labour party, Larry Whitty, who told the Select Committee on Home Affairs that even if regulations requiring disclosure were not introduced, he would recommend that the party's national executive committee should voluntarily disclose larger donations. In the next breath, however, he said that the Labour party had received only 15 donations in excess of £10,000 a year and he confounded everyone by refusing to declare the source of that money. Is that not a case of saying one thing and doing another? It is typical hypocritical cant.

Mr. Spellar: I am grateful for the hon. Lady's support for the Bill. She said that it is desirable for political parties—she gave a different example—to declare the sources of donations to them. That is the correct course of action.

Lady Olga Maitland: The Labour party does not do it.

Mr. Spellar: The hon. Lady, yet again, makes a case—this time from a sedentary position—for legislation to deal with the issue. The Bill refers to the desirability of transparency so that all political parties may make clear the sources of their funding. The electorate can then draw its own conclusions.

We must look not only at the Conservative party, but at some of the shadowy organisations associated with it, such as British United Industrialists and the infamous river companies that were set up after the war to channel money to the Tory party. A new outfit, the City and Industrial Liaison Council, is now in business. Its purpose is to tap into the workings of the City and of industry and it is able to arrange for meetings between potential donors and senior Ministers. Other fund-raising organisations offer invitations to Downing street as part of their attractive packages.

Although the City and Industrial Liaison Council was established as a separate body, its address is 32 Smith square—which I believe is also the address of the offices of the Conservative party. Although the Tories do not own the premises, which they sold some time ago, they have managed to lease them at a very favourable rate. I see that the hon. Member for Colchester, North now wishes to participate in the debate.

Mr. Jenkin: I refrained from intervening a few moments ago as I wanted to see whether my suspicions about the debate would be confirmed. The debate is simply a string of innuendos and slurs assembled in such a way as to create a completely false impression about the way in which politics works within both the Conservative party and the country as a whole. All the Bill's sponsors are Labour Members and it is obvious that it is purely a party political exercise. The majority of people will be mystified as to why the hon. Gentleman believes that there is a secret conspiracy simply because an organisation has the same address as the Conservative party.

Mr. Spellar: I am not surprised that the hon. Gentleman is mystified: it is a permanent condition for him—particularly with regard to his party's European policy. The organisation's invitation says that a short opening statement by the Secretary of State for Trade and Industry will be followed by a question-and-answer session. Prospective donors are then invited to remain and meet those present over a drink. Access, influence and donation—these are not smears; they are the facts. That is what is happening and I think that the electorate has a right to know about it. The electorate has the right to make up its mind—perhaps people will accept the hon. Gentleman's charitable explanation of events—based on the facts.

Some of those who make donations are very clear about their motives. Two prominent donors to the Conservative party stated their motives clearly in an article in *The Sunday Times* last year. They said:

"We consider donations to party funds to be similar to buying a round of drinks. If you want to be welcome at a party or a pub, it is policy and polite to pay your round."

Mr. Nirj Joseph Deva (Brentford and Isleworth): The hon. Gentleman asserted that the liaison council that he discovered to be registered at 32 Smith square was a mysterious organisation. How on earth can it be a mysterious organisation if that is its address? He spoke about people meeting Ministers to put forward their points of view. Is he saying that he never meets anyone from the trade unions, which are the largest donors to the Labour party, that he is not impressed or influenced by them or that he does not listen to them?

Mr. Spellar: As the hon. Gentleman was not entirely sure of the name of the organisation to which I referred, perhaps the Bill will assist him as to what is happening in the party of which he is a member. Perhaps long-standing Tory Members would also like to know about the charter movement in their party, to which I shall refer later.

I referred to the fact that potential donors to the Conservative party were invited to meet the Secretary of State for Trade and Industry. The Tories are confusing their role in government with their role as a party.

[Mr. Spellar]

They have fallen deeper into mixing and merging those roles and do not recognise the key difference between the role of a Government and the role of a political party. The Bill will not stop that, but it will ensure that there is transparency in all those operations.

Mr. Edward Garnier (Harborough): Where are the hon. Members for Hornsey and Wood Green (Mrs. Roche), for North Warwickshire (Mr. O'Brien), for Wallasey (Ms Eagle), for Walsall, North (Mr. Winnick), for Workington (Mr. Campbell-Savours), for Paisley, South (Mr. McMaster), for Thurrock (Mr. Mackinlay), for Sunderland, South (Mr. Mullin) and for Rotherham (Mr. MacShane)—the sponsors of the Bill?

Mr. Spellar: The hon. and learned Gentleman is obviously seeking a place in the Whips Office, where he can track down hon. Members. If he had been taking note at the beginning of the debate, he would have noticed that the Bill was due to be further down the list in the order of business but, as a result of Government action—for reasons that I cannot guess—in pulling other legislation, it has moved up the list. We are fortunate to be able to discuss it today, but it was not easy to predict today's debate and hon. Members with considerable constituency duties will have undertaken to look into the problems of their constituents.

Mr. Alun Michael (Cardiff, South and Penarth): My hon. Friend is absolutely right. Many hon. Members were expecting to take part in a debate on the Prisoners' Earnings Bill, which was on the Order Paper until yesterday, when it was mysteriously removed from the agenda by the hon. Member concerned, no doubt under pressure from the Government Whips Office, which then had to bring in waifs and strays from the corridors to pad out the previous debate and thus delay debate on my hon. Friend's Bill.

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): Order. This is the fifth time that the hon. Gentleman has referred to that matter. I drew his attention to that fact earlier and it is now becoming tedious repetition. Obviously the hon. Gentleman did not take note of my previous remarks.

Mr. Deva: On a point of order, Mr. Deputy Speaker. Is it parliamentary for the hon. Gentleman to describe other hon. Members, including myself, as waifs and strays?

Mr. Deputy Speaker: It is not a description that I have heard before, but I do not deem it to be unparliamentary.

Mr. Garnier: Further to that point of order, Mr. Deputy Speaker. Is it in order for an hon. Member unwittingly to mislead the House by suggesting that the Prisoners' Earnings Bill was removed from the Order Paper yesterday when, apparently, it was pulled three weeks ago?

Mr. Deputy Speaker: There are all sorts of orders and disorders in the House, but nothing this morning has been out of order. If it was, I would not have allowed it to continue.

Mr. Michael *rose—*

Mr. Deputy Speaker: Order. I call Mr. Spellar.

Mr. Spellar: Apart from helping some Conservative Members who are present, the publication to which I was referring might also be useful to Conservative central office. It might even assist the Prime Minister who, like the hon. Member for Sutton and Cheam, seems to believe that the sources of Tory funding, as he said in October 1993,

"are all cheese and wine parties up and down the country."—[*Official Report*, 19 October 1993; Vol. 230, c. 144.]

I should like to enlighten him—it would also help Conservative central office to have second thoughts and be far more discriminating about the origin of its funds and the motivation of some of its donors.

My hon. Friend the Member for Tooting spelled out at some length the case of Mr. Asil Nadir. If he had been a one-off, isolated case, one could regard the matter as an unfortunate accident, although £400,000 was a considerable sum. But he is by no means alone. Donations were made by Mr. Jack Lyons and by Mr. Gerald Ronson, another person who had to spend some time at Her Majesty's pleasure. There was Mr. Nazmu Virani, who was involved in the Bank of Credit and Commerce International scandal, and there were a number of others who made donations and who were subsequently found to be less than desirable persons.

Lady Olga Maitland: Does the hon. Gentleman intend to refer to the support that his party received from Mr. Robert Maxwell, the greatest robber of all time?

Mr. Spellar: I thank the hon. Lady for her support. That point was made by the hon. Member for Welwyn Hatfield (Mr. Evans) on a previous occasion when I sought to introduce the Bill. Indeed, I welcome that support for transparency about donations to all political parties.

I think that the creditors of Polly Peck would be pleased if the Conservative party arranged to give back the moneys that it received from Mr. Nadir, because it is doubtful whether the money came from Mr. Nadir or from the company. The creditors would be extremely—

Mr. Garnier: On a point of order, Mr. Deputy Speaker. Is it in order for the hon. Gentleman to refer to matters that are in controversy in a criminal trial? An associate of Mr. Asil Nadir has recently been convicted, but has yet to be sentenced for matters connected with Mr. Asil Nadir. I ask you, Mr. Deputy Speaker, to give guidance to ensure that the hon. Gentleman does not stray too closely into the details of that case.

Mr. Deputy Speaker: All hon. Members should avoid matters that are sub judice. I hope that the hon. Member for Warley, West (Mr. Spellar) will do so.

Mr. Spellar: Obviously I accept your ruling, Mr. Deputy Speaker, although I do not think that these moneys are the subject of the court case. It is interesting that the hon. and learned Member for Harborough (Mr. Garnier) does not wish those matters to be discussed.

Mr. Garnier: On a point of order, Mr. Deputy Speaker. The hon. Member for Warley, West is misconducting himself. He attributed motives to me in a wholly unworthy way. I have no ulterior motive in drawing to your attention the need for care when we are talking about current criminal cases.

Lady Olga Maitland: My hon. and learned Friend is a QC.

Mr. Garnier: I will ignore that point. If the hon. Member for Warley, West (Mr. Spellar) wishes to make personal remarks, he should confine himself to doing so outside the Chamber.

Mr. Deputy Speaker: I thought that I had made that point a moment ago. What we shall now do is get on with the debate.

Mr. Spellar: The Conservative party might be concerned not just about the identities of those who are making the donations but about their motives. Conservative Members might be concerned that the public and some of us here will put two and two together. Earlier, we discussed knighthoods and peerages. The record of appointments to quangos over a number of years—I refer not only to company officers but to their relatives—shows strong links between donations to the Conservative party and appointments to quangos. One sees the creation of a Conservative client state.

Mr. Deva: I am trying to be helpful to the hon. Gentleman. He made the good point that he was worried that people who were in business or in the City had been invited to places such as Downing street and the Department of Trade and Industry to have their opinions heard and perhaps to have a cup of coffee or tea with a Minister. That has caused the hon. Gentleman great concern; I understand where he is coming from. Am I therefore to believe that if, God forbid, a Labour Government ever came to power, no trade unionist would ever be allowed to go into Downing street and that no trade unionist would ever be allowed to go into the Department for Education and Employment? Am I to believe that there would be no beer and sandwiches in smoke-filled rooms?

Mr. Deputy Speaker: Order. That must be the last of the long interventions. Interventions are supposed to be brief and to the point.

Mr. Spellar: The hon. Member for Brentford and Isleworth (Mr. Deva) has missed the point of the measure, which is to create transparency, as I said at the outset. I am sorry to have to repeat that point, but it is worth while if the hon. Member for Sutton and Cheam has not taken it on board. The public will draw their conclusions from the facts and arguments by political parties, but the public should do that on the basis of knowledge.

As I mentioned earlier, donations from trades unions are properly recorded under the law. The Bill would ensure that other donations to political parties were made public. That is not exceptional in other democracies, and most democracies have a requirement for the publication of donations and, in many cases, registration of donations and computer print-outs to ensure that the public are making an informed choice. That is the key issue.

Lady Olga Maitland: Will the hon. Gentleman tell us about the price tag that the trade unions have over their political bosses? Trade unions buy power over the Labour party. They buy 33 per cent. of the votes in Labour's leadership election and candidate selection and 70 per cent. of the votes at Labour's party conference. Frankly, that is a bribe.

Mr. Spellar: I give way to my hon. Friend.

Mr. Cox: I am sure that my hon. Friend will adequately respond to point made by the hon. Member for Sutton and Cheam (Lady Olga Maitland). In 1992, when my hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson) was the Labour shadow spokesman on employment, he asked many questions about the visits of Ministers to Hong Kong and whether they were engaged in party activities. If I remember rightly, some 13 were found to have been using their official capacities as Ministers to go touting for funds in Hong Kong.

Mr. Deputy Speaker: Order. I assume that the hon. Member for Warley, West will reply to both interventions. Before anybody makes another intervention, he must be given an opportunity to reply.

Mr. Spellar: It is unfortunate, given that I spoke quite slowly when I explained the purpose of the Bill to the hon. Member for Brentford and Isleworth, that not one jot of that explanation entered the head of the hon. Member for Sutton and Cheam, who read out her Conservative central office brief again. She still does not understand the basis of the Bill, which is unfortunate.

I shall deal with the question of overseas donations, which was raised by my hon. Friend the Member for Tooting, a little later when I have dealt with clause 1.

Lady Olga Maitland: Answer my question.

Mr. Spellar: It is unfortunate that, in spite of much repetition—I am sure that you, Mr. Deputy Speaker, have become slightly bored by it—the basis of the Bill has still not got across to the hon. Member for Sutton and Cheam.

Lady Olga Maitland: On a point of order, Mr. Deputy Speaker. Is it in order, when I put a question to the hon. Member for Warley, West (Mr. Spellar), for him to dodge it?

Mr. Deputy Speaker: Order. That is not a point of order and the hon. Lady knew that full well before she raised it. I will deal with genuine points of order. Points of order that are not genuine—they are common in this place—should not be raised and hon. Members should not test the Chair's patience by repeatedly doing so.

Mr. Spellar: Clause 1 would require political parties to publish accounts. That requirement is so unremarkable that as far as back as December 1949 the House passed a resolution that

"political parties, and all other organisations having political action as one of their aims, should publish annually full and adequate statements of their accounts."

Unfortunately, although there have been some minor improvements from the Conservative party, it has not seen fit to implement that resolution.

I referred earlier to the charter movement in the Conservative party. Concern at the failure to implement the resolution is not confined to Opposition Members. Conservative Members will be aware of the charter movement in the Conservative party, which has argued, on a broader front, for a formal party constitution. Extraordinarily, the main defence of the Tory party a few

[Mr. Spellar]

years ago, in a case involving the Inland Revenue, was that the party did not exist at all. The Conservative charter movement wants proper accounts and, it says,

"full control over the party's money must be exercised by the elected officers who must be accountable to the membership."

That seems unremarkable, but to the mandarins of the Conservative party it is fearsomely democratic. Conservative party members need real accountability.

The charter movement posed some interesting questions to the former party chairman, the right hon. Member for Sutton Coldfield (Sir N. Fowler). It asked:

"Why has there been a consistent refusal to publish a balance sheet? If we are incorrect in our estimate of the balance sheet position at 31st March 1992, what other funds are there directly or indirectly controlled by the party which covered in whole or in part the deficit of £17 million and where are they located?"

Both the charter movement and the public want to know whether the funds held in this country are the only funds under the control of the Conservative party or whether there are funds in Jersey and elsewhere—

Mr. Jenkin: It is no secret that the Conservative party has a whacking great overdraft, let alone funds in Jersey or anywhere else.

Mr. Spellar: It is certainly no secret that at that time the Conservative party had a £17 million overdraft. That begs the question why the Royal Bank of Scotland so easily allowed an overdraft of that size to build up with no immediate way of its being repaid. Again, transparency would enable the Conservative party to dispel the argument that the overdraft was carried by the bank because it had an assurance of other sources of funds being held in reserve elsewhere. That may or may not be true, but if the Conservative party were open about its accounts it could confirm or deny that impression.

The charter movement asked:

"What were the sources of the said £7 million received from abroad in 1991-92?"

My hon. Friend the Member for Tooting mentioned that matter and I shall return to it later. The charter movement also asked:

"From how many sources were individual sums in excess of £1 million received in those years?"

It then asked questions about loans and borrowings.

All those are extremely important questions both for members of the Conservative party and for the electorate. It is worth noting that recommendations on the publication of funds were included in the report of the Home Affairs Select Committee in 1994. It was not a particularly good report; it covered up a number of matters. However, on the publication of funds it was clear and unequivocal. It said:

"We believe that every party should make published accounts available to all those who request them."

That is fairly straightforward and of interest to hon. Members, the public and members of the Conservative party.

The issue does not involve just income. I suspect that Conservative party members would like to know what happens to their money. Indeed, there was uproar when members discovered that it was being used to finance the legal costs of the then Chancellor of the Exchequer, the right hon. Member for Kingston upon Thames (Mr. Lamont). It is estimated that the party lost about £500,000 in donations from its ordinary members because of their outrage at that action.

Conservative party members might be interested to know how much it cost to finance the legal action of Mr. Paul Judge against *The Guardian*. The estimate is £300,000. That does not seem to be an effective use of party funds.

Mr. Jenkin: On a point of order, Mr. Deputy Speaker. My understanding is that the Bill would regulate the funding of political parties, which most people would accept includes donations. Indeed, I am happy to discuss party donations. However, the hon. Member for Warley, West (Mr. Spellar) is exploring at length how parties spend their money. I wonder whether that is in order.

Mr. Deputy Speaker: It is in order. Second Reading debates are quite wide.

Mr. Spellar: If the hon. Gentleman had got a copy of the Bill—

Mr. Jenkin: I have one here.

Mr. Spellar: It would help if, instead of waving it, the hon. Gentleman read it. Clause 1(2) refers to

"duly audited accounts of income and expenditure in a prescribed form."

That seems fairly self-evident, and it should cover his point.

At least the donations that I have just described could be regarded as in-house and from within this country. What about the really sordid part of Conservative finances which my hon. Friend the Member for Tooting mentioned—overseas donations? Several of our fellow democracies are clear on this. They proscribe donations from overseas whether from individuals, companies or Governments. In our consultation it appeared that there were some difficulties in formulating the exact words to handle the matter. However, if we are able to do so in time before the Committee stage, the matter could be dealt with by means of a new clause.

What are the scandals with which we seek to deal? One is the question of tax exemptions. One of the benefits given to a number of donors was a tax break for foreign business men. They were given tax exemptions while resident in the United Kingdom equalled only in Switzerland, the Channel islands and Luxembourg. Estimates of the cost to the public purse of that benefit run to more than £1 billion a year. We are aware that there was a fund-raising dinner for some of those individuals and that the question of tax-exempt status was raised.

Mr. Deva: Is the hon. Gentleman aware—I am sure that he is—that about 45 per cent. of inward investment into the European Union comes to Britain and that many foreign companies are interested in investing in Britain and creating employment? If they believe that the Conservative party would create the best climate and best look after their interests, what is wrong with their investing here and also supporting the Conservative party if they so wish?

Mr. Spellar: Companies in Britain would not be covered by the exemption. That is an issue that the hon. Gentleman might like to take up. So far as I am aware, none of the major investors into Britain, such as Toyota, Nissan, Honda, Sony and Fujitsu, is a donor to the Conservative party. I am talking about rich individuals and their tax-exempt status. That is nothing to do with inward investment. Incidentally, if the hon. Gentleman talks to companies that invest here, he may find that the most attractive feature is that we speak the English language, which is their language of business. I have spoken to several companies about that. If I go any further on that, you will pull me back, Mr. Deputy Speaker.

The key area is donations not from those who may be temporarily resident in this country and take advantage of tax-exempt status but from those who are overseas. Ministers, including the Prime Minister, visited Hong Kong. It appears that the then high commissioner in Hong Kong was extremely concerned that some official engagements were turned down so that Ministers could go to a major fund-raising dinner in Hong Kong. Why was Mr. Li Ka-Shing, a major figure in Beijing as well as in Hong Kong, such a major donor to the Conservative party? One of the problems of the Conservative party is that, with the cooling of relations with China, some of those donations have ended.

Mr. Jenkin: A business man in Hong Kong might have regard to the fact that the ultimate responsibility for the Government of Hong Kong lies with the elected Government of this country. Therefore, he has an interest in ensuring that a sensible Government are elected in Britain, instead of a silly one from the Opposition Benches.

Mr. Spellar: That argument might convince the hon. Gentleman but no one else would agree that people who do not live, or have the right to vote in, this country should be able to give huge sums to a political party. People find that proposition extraordinary, as they do in many other major countries.

It is interesting that it can still be argued that people who are not resident, or who are not voters, in this country should seek to be able to buy influence and policy. The hon. Member for Colchester, North is saying that they should be able to buy the Government they want by donating money to enable a party to compete in elections. That involves not only Hong Kong but United States foundations and even, possibly, overseas Governments. They are all potential or alleged donors. In the case of Hong Kong, there are more facts about donations designed to keep one party in power in Britain.

Mr. Cox: We have already touched on Asil Nadir, but I hope that we have not left him completely. It is all on the record; this is not, as Conservative Members are suggesting, just innuendo. We know from parliamentary answers from the Attorney-General that when Mr. Nadir, before he fled the country, was being investigated by the serious fraud squad, Cabinet Ministers, who were not his parliamentary representative, met the Attorney-General. We can only guess why, when they were not his parliamentary representative, they should go to see a Law Officer. We know from replies to parliamentary questions that seven Back Benchers approached the Attorney-General about the serious fraud case against Mr. Nadir.

Mr. Spellar: My hon. Friend has spelt out strongly the problems that were associated with that case and why we believe that the Government were so reticent about it. It comes back to the principle that is sometimes enunciated by Home Office Ministers in discussing the right to silence, when they say that those who have nothing to hide have nothing to fear. We suspect that the Conservative party has much to fear.

Mr. Garnier: Is the hon. Gentleman aware that, in its evidence to the Home Affairs Select Committee, the Labour party conceded that it was not against its principles to receive foreign donations, and admitted receiving them from citizens of the United States? Does he think that that was wrong?

Mr. Spellar: I think that we should proscribe donations from abroad. I thought that I had said that clearly not only in this speech but when I sought leave to introduce the Bill. I am pleased to have the support of the hon. and learned Gentleman, who obviously favours such a provision.

The attraction of money from Hong Kong and other dubious sources for Conservative Members was well expressed by a previous leader of the Conservative party, Mr. Stanley Baldwin, in 1927 when he said:

"Our one great advantage: wealth. Let us use it. Its expenditure should be regarded as an insurance premium."

That insurance premium is coming not only from business in Britain, but, worse, from business abroad.

We must consider the matter in further detail so that we can get it right. I hope that the commission will be able to draw on the experience of the United States and Australia in particular. That will be its role. I hope that it will make a better job of it than the Select Committee did.

Let us be clear what the Bill is seeking to introduce. Many thoughtful Conservatives realise that the situation in which they find themselves is untenable and indefensible. They understand that a valid, sensible measure should be introduced, which will open up the matter to public scrutiny.

In the words of an American Supreme court justice,

"Sunlight is the best disinfectant in a democracy."

The Bill will benefit not only the wider electoral democracy in this country but democracy in the Conservative party. If the Government try to prevent the matter from being brought to a vote today or to frustrate the will of Parliament, which was clearly expressed on 31 January, we and the electorate will rightly conclude that they have a lot to hide and to fear. That is why I have no hesitation in commending the Bill to the House.

2.4 pm

Mr. Edward Garnier (Harborough): I listened with as much interest as I could summon to the arguments of the hon. Member for Warley, West (Mr. Spellar). He is probably the only Member of Parliament who has been known to introduce a Bill and talk it out himself. He has been on his feet for nearly an hour, knowing very well that he had limited time. If he had been keen to get the measure on to the statute book, he would have been more succinct and would have dealt with the interjections of his hon. Friends and Conservative Members with greater celerity, but there we are.

[Mr. Edward Garnier]

It may be of interest to the hon. Member for Warley, West to learn that the Bill has come up for debate today, not because of some speedy and nefarious deal done yesterday to confuse the other sponsors, but because the Bill between this one and the Sexual Offences (Conspiracy and Incitement) Bill was withdrawn on 3 April. The hon. Members for North Warwickshire (Mr. O'Brien), for Walsall, North (Mr. Winnick), for Wallasey (Ms Eagle), for Workington (Mr. Campbell–Savours), for Paisley, South (Mr. McMaster), for Sunderland, South (Mr. Mullin), for Thurrock (Mr. Mackinlay) and for Rotherham (Mr. MacShane), all of whom sponsored the Bill with the hon. Member for Warley, West, are absent and have failed to look at the business papers to ascertain that the Bill in front of this one was withdrawn from discussion on 3 April. That gives us some indication of the seriousness with which the Bill was introduced.

The way in which the hon. Member for Warley, West handled the Second Reading debate gives yet further evidence for and support to my suggestion that the Bill is nothing more than a political stunt. Let us compare the way in which the Sexual Offences (Conspiracy and Incitement) Bill was introduced by my hon. Friend the Member for Hendon, South (Mr. Marshall) and the way in which he dealt with it this morning and in Committee. One can draw no other conclusion than that this Bill is a cheap and silly little stunt and a waste of parliamentary time. One only has to consider the way in which that earlier Bill was dealt with to realise what can be done with a sensible and well-meaning Bill that needs to be brought into play.

Since I think that I am the only hon. Member present who was on the Home Affairs Select Committee that dealt with the funding of political parties I must also point out that, if the hon. Member for Sunderland, South—a sponsor of the Bill, who was also a member of our Select Committee—had thought the Bill of such great importance, he would have been here for to give it a fair wind, if that is the right expression when dealing with the remarks of the hon. Member for Warley, West, not least because he and his colleague the hon. Member for Hornsey and Wood Green (Mrs. Roche), along with the research department at Walworth road, drafted the minority report, most of which was regurgitated in his speech.

Since the hon. Member for Warley, West chose to concentrate only on that minority report, it is fair that the House should learn a little more about the majority report that dealt with the sourcing of political funds with which clause 1 of the Bill deals. I cannot remember whether the hon. Gentleman bothered to refer to clause 1 in detail, but it states:

"The Secretary of State shall, by regulations, require each political party to publish annually details of the source and amount of every donation of £1000 or more made to it in the course of the year."

There are two issues there—source and amount. The cut-off amount seems to be £1,000.

In its report, the Select Committee considered evidence from a great many people on this subject, and the arguments for and against disclosure have been succinctly set out. I shall summarise the arguments for the House's benefit, so that it can have them in mind—not only the hon. Gentleman's rantings—when reaching its conclusions about the good sense of the Bill.

My right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler), who was then the chairman of the Conservative party, argued that privacy in donations was as fundamental a right when giving to political parties as it was when giving to any other charitable organisation. I should hope that the hon. Member for Warley, West would have the decency to accept that that point is not only arguable but right.

Mr. Spellar *indicated dissent.*

Mr. Garnier: Does the hon. Gentleman wish to intervene?

Mr. Spellar: The hon. and learned Gentleman asked if we would agreed to that proposition, and I say certainly not. In a democracy, the electorate have a right to know who is donating to the political parties that are seeking to run the country and then to draw their own conclusions. That is the Bill's essence.

Mr. Garnier: I think that we have the beginnings of a reasonable argument; the hon. Gentleman has put forward his case, and I shall remind the House of what the then chairman of the Conservative party said in response to that line of argument.

My right hon. Friend the Member for Sutton Coldfield said that what individuals do with their money is entirely a matter for them, and I suggest that it is not a legitimate interest for inquisitive journalists, political opponents or even the state to know what private individuals give to Oxfam, for example, or to the Labour party, the Conservative party or the Royal Society for the Prevention of Cruelty to Animals. The interest pretended by the hon. Gentleman is merely prurient and has no genuine public interest basis.

I agree with my right hon. Friend the Member for Sutton Coldfield that to reveal the name of an individual donor would be a breach of that donor's right to privacy, although there is nothing to stop an individual donor making his name known if he chooses to do so. Perhaps one of the differences between the interfering, statist Labour party and the Conservative party, of which I am a member, is that the Conservative party respects and hopes to protect the individual's rights, and perhaps that is why a gulf is emerging across the Floor of the House in this debate.

Mr. Jenkin: Did my hon. and learned Friend notice that the hon. Member for Warley, West implied in his intervention that he thought that political parties are elected to the Government to represent the electorate in the House of Commons? Individuals, of course, are elected to the House of Commons. Individuals might stand for election and raise their election funds under a party label, but the electorate vote for individuals in elections. We sit in the House of Commons as individuals, and it is as individuals that we represent our constituents. We do not elect a party apparatus to Government—we elect individuals.

Mr. Garnier: My hon. Friend has made a very telling point, and he made it very well. It is not surprising that the Labour party is the recipient of a huge amount of trade union funds because the trade unions buy policy. The trade unions buy up the Labour party—it is as simple as that. The trade unions attempted between 1974 and 1979

to buy up that Labour Government, and no doubt they are intending and hoping to buy up a future Labour Government. That was the point made by my hon. Friend, and it is a legitimate point, about which the public should continually be reminded.

I am glad that this debate is providing us with an opportunity to remind the public what the Labour party is about—not only through the mechanics of this Bill but through their general philosophy of action, which is to buy up blocks of influence in any way possible to determine the country's future. Individuals and interest groups in this country would be well advised to bear in mind the rather nasty nature of the Labour party that hides behind the smile of its current leader. That lesson will no doubt be learnt more clearly in the next year as the Labour party begins to unravel and to distract itself by its own divisions.

The Home Affairs Select Committee went on to discuss the threshold at which disclosure ought to be made, assuming that it should be made. It was common ground, apparently, that

"small donors had a right to privacy because no-one could allege that their gift had been made with any ulterior purpose."

I query that, to the extent that many members of trade unions individually make small donations by way of the political levy which go into a much larger pot, which hammers on to the side of the directing mind, if that is the right expression, of the Labour party.

Mr. Cox: I do not know what the hon. and learned Member knows about the trade union movement, but he referred to the political levy. Is he aware that, under trade union legislation, all trade unionists have to ballot whether they wish to contribute to the political levy of a political party? Does the hon. and learned Gentleman know that?

Mr. Garnier: I not only knew that, but the hon. Gentleman missed the point that I was making—that many people make small donations. It was common ground in the Home Affairs Select Committee that those who make small donations should not be interfered with because the size of their donation could have no real bearing upon the management and policy making of the party to which they were making donations. The point I was making, and I shall say it again slowly so the hon. Member for Tooting (Mr. Cox) can take it in *[Interruption.]*—

Mr. Cox: You are not in court now.

Mr. Garnier: The small donations that are brought into an agglomeration through the political levy of the trade union system, once agglomerated, create a huge power of influence. That financial influence is applied to the Labour party to get it to produce policies and go in a direction that is sympathetic to the desires of the membership of the trade union. That is the point, and if it embarrasses the Labour party, so be it.

The evidence given by the parties to the Home Affairs Select Committee on the question of threshold relates directly to the issue of source and amount in clause 1. The Committee noted that, at

"the top end of the scale, the Green Party proposed that the names of individuals giving over £50,000 per annum (and the names of all organisations giving gifts) should be disclosed; the SNP suggested that all donations above £20,000 should be published in a party's accounts"—

a Professor Harrison proposed £10,000—

"the Labour Party suggested various figures between £10,000 and £1,000 for individual donors, though, according to Mr. Whitty—

then general secretary of the Labour party—

"revealing donations of around £150 'would not cause us great difficulty'.; the Liberal Democrats proposed £5,000 as a figure which might be acceptable to other parties, though they were also prepared to reveal donors down to a much lower level; the TUC favoured donations of over £1,000 by individuals and £200 by companies being disclosed".

The Transport and General Workers Union argued for disclosure above

"'say £500 or £1,000'."

The Committee also noted:

"Among those who favoured a disclosure limit but did not mention a particular amount were the SDLP"—

is that the Northern Irish party?

Mr. Jenkin: Yes.

Mr. Garnier: —and

"Charter 88 and the Charter Movement."

The Institute of Public Policy Research, which I believe is a body sympathetic to the Labour party, suggested that

"'5 or 6 figure' sums were of considerable importance to the United Kingdom's relatively impoverished political parties."

The witnesses were asked whether as low a threshold for disclosure as just over £150 would be acceptable, and both the officials from the Labour and Liberal Democrat parties emphasised that there would be, as the general secretary of the Labour party, Mr. Whitty, said

"'a lot of bureaucratic hassle' in doing so."

It may be that the philosophy behind the figure of £1,000 mentioned in the Bill promoted by the hon. Member for Warley, West has nothing to do with the wider principle of disclosure, about which we obviously disagree, but is simply one of administrative convenience.

Anything below £150 or £500—take whatever figure one likes—would grossly inconvenience individual members of the Labour party because it is likely, according to the historic nature of the Labour party's membership, that individual donations from Labour party members would come at the lower end of the scale, whereas those at the higher end of the scale would be likely to be given, again according to historical evidence, by members of the Conservative party. A nasty little piece of party political discrimination, dressed up as a matter of high principle, is coming in under the fence.

A number of issues concern us. Questions of privacy are involved, as I mentioned earlier, as are questions of administrative practicality. The more donors that a party will be required to list, the more cumbersome the procedure will become. Eighteen months ago, the Home Affairs Select Committee learned that, in the United States—where funding is principally directed to individual candidates rather than to political parties—the candidates must register the name, address and occupation of all people who donate more than $200 to them.

The inquirer at the Federal Election Commission can obtain a computer print-out that lists, for example, all female physicians in Florida who donated more than $200 to candidate X. A considerable bureaucracy is involved, even if the system is based on the citizen's right to know—which I think is the principle that, at best, the hon.

[Mr. Garnier]

Member for Warley, West was trying to use in support of his case. The hon. Gentleman cannot get much comfort from what occurs in Germany, because parties there need reveal details only of donors who contribute more than DM20,000 in a year.

The thrust of the hon. Gentleman's Bill has to be borne in mind because we are not talking about a two-party Conservative-Labour system—there are a number of small parties, some of which he and I might tolerate and some of which he and I would jointly abhor. For a small regional party, a donation of £1,000 might be a substantial sum and have some significance locally, but given that small parties do not have much influence by and large it would have no significance nationally. Therefore, a £1,000 donation would have no bearing on the movement of the constitution.

In the case of the larger political parties, a £1,000 donation might be welcome, but it will not exactly move the ship. British Airways withdrew its donation when it was cross with the Conservative Government for not doing what it thought was in its interests. That had absolutely no effect on the Conservative party—I do not know how much money British Airways used to donate, but it would have been more than £1,000. That is an example of how a huge donation to a political party—contrary to what the hon. Gentleman might suspect—has absolutely no influence on its philosophy, policies and direction.

Another example is the Duke of Westminster. The hon. Gentleman may remember the Housing and Urban Development Bill of 1993, which was renamed the Leasehold Reform, Housing and Urban Development Bill. Now that it is safely into law, I can say that it is the nearest thing to theft that I have seen pass through the House. I was a new Member of the House in those days and I thought that what we did was always wonderful. The Duke of Westminster withdrew his support from the Conservative party because he believed that the Bill was antipathetic to his property interests—and he was quite right. His threat of removing his donation from the Conservative party had no bearing on the passage of the Bill through Parliament. However, he decided to vote against it or to abstain.

Mr. Spellar: The hon. and learned Gentleman, like a number of Conservative Members, regularly cites these two cases as though they somehow disprove the proposition. In fact, in many ways they are an endorsement of it. British Airways and the Duke of Westminster, like many other donors to the Conservative party, had an expectation that matters that were going to be in their interests would be decided in their interests. We do not hear from the hon. Gentleman about people who get their knighthoods, get their peerages and get the decisions in their favour. We hear about people who had that expectation but had it frustrated.

Mr. Garnier: The hon. Gentleman should do us the courtesy of reading—and, if he has read it, understanding—the evidence that was given to the Home Affairs Select Committee. The same canards were produced by Labour members of the Home Affairs Select Committee in the hearings before us 18 months ago. It beggars belief how those hon. Members who asked those questions could do so with a straight face, bearing in mind the history of abuse of the honours system engineered by the Labour party in the past 50 or 60 years—but let us leave that aside.

The simple point, and the answer to the question by the hon. Member for Warley, West, was given clearly by my right hon. Friend the then chairman of the Conservative party, my right hon. Friend the Member for Sutton Coldfield.

Perhaps the Labour party has been out of Government for so long that Labour Members do not realise it, but there is a thing called the Honours Committee, which scrutinises all applications for honours. Every time that an application is made for a political honour, the Committee scrutinises it to ensure that it is a proper application. Every time that there is a "big business" application, the Committee, which is made up of members of all parties—or at least the three big parties—scrutinises it to ensure that the honour is being awarded, not for political skulduggery, as the hon. Gentleman would have it, but for public service or for service to industry, to exports or to charity.

The suggestion that is constantly repeated by Labour Members simply to make childish-sounding debating points does them no credit. It would do the hon. Member for Warley, West a great deal more credit if he were to take the trouble to read not only his hon. Friend's minority report but the all-party majority report, which is here for all to see.

The conclusion that the Home Affairs Select Committee reached on this aspect of its report was that

"we"—

the Committee—

"do not believe that a case has been made out for requiring disclosure of the identity of donors; where donations are made from identifiable and legitimate sources known to the party they should be allowed to remain private."

That is a sensible working arrangement, which accepts and respects the privacy of the individual to donate money to whomever and to whatever organisation he or she considers appropriate.

The Committee said that it did not believe that any limit on the amount a donor could give would be acceptable in British circumstances. It dealt with company donations; I invite hon. Members to read the passages about that, because I know that the hon. Member for Tooting wishes to speak and I am reasonably sure that other Conservative Members wish to catch your eye, Mr. Deputy Speaker.

Having demolished as politely as I can the good sense of the Bill, I leave the Floor to others.

2.27 pm

Mr. Tom Cox (Tooting): I shall not waste the time of the House commenting on the previous speech.

The debate has been very interesting. My hon. Friend the Member for Warley, West (Mr. Spellar) has done a service by bringing the matter to the attention of the House, even though time has been limited, because the general public obviously wish to know who funds political parties.

We heard, as we always do, about the trade union movement. I am a sponsored trade union Member, and all the moneys that are allocated to my political party are very clearly recorded.

I wish to speak about Mr. Asil Nadir. I am chairman of the Commonwealth Parliamentary Association Cyprus group in the House, so this issue is of very great interest to me.

Before people start to criticise the length of the speech by my hon. Friend the Member for Warley, West, they should read the *Official Report* on Monday and see the fanatical interventions that he faced.

Mr. Nadir met very senior members of the Conservative party many times over a very long period. We know that they have admitted that he gave very substantial sums to the Conservative party. I understand that the former party chairman, the right hon. Member for Sutton Coldfield (Sir N. Fowler), has never denied that. All he has said is, "I am not really sure, and we are not really sure, whether that money was stolen. Until we are certain, we will hang on to it." We know that Mr. Nadir had the opportunity to meet senior Conservative Cabinet Ministers and senior Back-Bench Members. We are in no doubt—Mr. Nadir said it himself—that he was looking for a knighthood. He did not receive one and he must have been extremely disappointed.

It became known that Mr. Nadir was a crook—I choose my words carefully: he was and is a crook and is sheltering in occupied northern Cyprus. We learned more about Mr. Nadir's failed business activities. All hon. Members know that, under parliamentary convention, one hon. Member does not interfere in another hon. Member's constituency unless he or she is asked about constituency issues—

It being half-past Two o'clock, the debate stood adjourned.

Debate to be resumed upon Friday 26 April.

Remaining Private Members' Bills

EMPLOYMENT (UPPER AGE LIMITS IN ADVERTISEMENTS) BILL

Order read for resuming adjourned debate on Second Reading [9 February].

Hon. Members: Object.

Debate further adjourned till Friday 26 April.

REGULATION OF DIET INDUSTRY BILL

Order read for resuming adjourned debate on Second Reading [9 February].

Hon. Members: Object.

Debate further adjourned till Friday 26 April.

TOBACCO (PROTECTION OF CHILDREN AND RESTRICTION OF PROMOTION) BILL

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): Second Reading what day? No day named.

ACCESS TO THE COUNTRYSIDE BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 26 April.

WATER (CONSERVATION AND CONSUMER CHOICE) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 26 April.

WELFARE OF BROILER CHICKENS BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 26 April.

HOSTAGE RECOVERY BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 26 April.

SEXUAL OFFENCES AGAINST CHILDREN (REGISTERS OF OFFENDERS) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 9 May.

DANGEROUS DOGS (AMENDMENT) BILL [*LORDS*]

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 9 May.

FREEZING OF HUMAN EMBRYOS BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 26 April.

BUSINESS OF THE HOUSE

Ordered,

That, at the sitting on Tuesday 30th April, the Speaker shall put the Question on the first Motion in the name of Mr. Tony Blair relating to Education not later than one and a half hours after the commencement of proceedings thereon or half-past Eleven o'clock, whichever is the earlier; no further such Motion shall be made after that hour; and the said Motions may be proceeded with, though opposed, after the expiry of the time for opposed business.—*[Mr. Wells.]*

Mr. Tom Cox (Tooting): On a point of order, Mr. Deputy Speaker. Will you bring to the attention of Madam Speaker when you next see her the objections that were made to two Bills today—Bills Nos. 5 and 10, especially Bill No. 10? We have spent much of this morning discussing the important issues surrounding Bill No. 10. Will you bring to the attention of Madam Speaker the utter disgust felt by many hon. Members that the Government Whip deliberately objected to both those Bills.

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): That is not a matter for the Chair.

Air Quality (Nottingham)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Wells.]*

2.32 pm

Mr. Graham Allen (Nottingham, North): I am delighted to bring before the House today the important subject of air pollution, particularly as it affects my constituency and the city of Nottingham. Last week, three 11-year-old pupils of Southglade junior school in Bestwood park in my constituency wrote to me about the issue. Abby Herod, Laura Bowen and Zoe Tolcher said in their letter:

"We are disappointed with the atmosphere that we are breathing in. We would like you to put a stop to all the fumes that are coming from all the cars and factories. Couldn't we use bicycles and buses more often—that will make less fumes and gases so the air will be safer."

I should like to dedicate today's debate to those three young people, and to the many others in my constituency who have this week discussed the issue of air pollution in Nottingham and elsewhere.

Those young people will be the main campaigners when we tackle the problem seriously in the future. They will save the planet from air pollution, and they will see through the policies necessary to ensure that our air is once again fit to breathe.

Local media will also play an important role. The local newspaper, the *Nottingham Evening Post*, has led a vociferous air quality campaign in our city. It is essential that the politicians and the decision-makers—I am glad that the Under-Secretary of State for the Environment, the hon. Member for Hertsmere (Mr. Clappison), is to respond to the debate—are informed about public opinion.

We have no choice but to breathe air which continues to be polluted. Poor air quality causes poor health. Britain's air quality has deteriorated by 35 per cent. in the past 10 years. Asthma kills about 2,000 people a year, and one in seven children in Nottingham are affected by asthma, like children in every constituency throughout the land.

The link between air pollution and worsening asthma conditions is now well accepted. A recent study in Birmingham found that children admitted to hospital with asthma were more likely to live close to busy roads than those who were admitted for other reasons. Government research has linked airborne particles to lung and heart disease. It is now accepted that lower levels of pollution than originally thought adversely affect health.

Much good work has been done in this area in Nottingham and elsewhere, dating back to the 1950s. The most obvious pollutants have been dealt with: the smoke and sulphur dioxide created by coal burning and factory emissions have been subject to ever greater controls. However, the main air pollution villain in modern Britain, including in my constituency, is the motor car and other vehicular traffic which burns diesel and petrol fuels.

Unfortunately, delays in Government funding for Nottingham's automatic urban monitoring station mean that I do not have the precise figures for Nottingham's air quality. However, I imagine that they are not dissimilar to the figures for London's air quality. In London, traffic is responsible for 99 per cent. of carbon monoxide emissions, 76 per cent. of nitrogen oxides and 96 per cent.

of black smoke, including particulates. It is a sad record, but I am delighted to report that the local authorities in Nottingham and the surrounding area are working hard to solve the problem, and they have made a great deal of progress.

Despite 85 per cent. of its revenue being at the beck and call of Government—like that of most other local authorities—Nottingham has set about tackling the air pollution problem. I pay tribute to those in the city and in the county council—both at officer and at councillor level—for their hard work. I shall give some examples of that work.

Nottingham city council has introduced a pioneering scheme, the green commuter scheme, which I had the privilege of helping to launch several months ago. It aims to reduce traffic congestion and to improve air quality. The county council is encouraging its staff to car-share and to use their cars less for journeys to work—the first time that any county council has introduced such a scheme.

The same two councils have been involved in conducting pioneering research with Dr. Margaret Bell and her team at the university of Nottingham. Pollution monitors worth £140,000 are now in place at schools, roundabouts and junctions in and around Nottingham, and they are linked to the urban traffic control centre. Those devices monitor traffic flow—the stops and starts, the congestion and the pollution—and produce a report on the city's air quality. The project hopes that, by revealing how changes in transport affect the quality of environment, it will encourage ideas on reducing the need for travel and promoting public transport by encouraging people to live closer to their place of work, use bicycles or, where appropriate, walk to work.

I hope that the Minister will take up my offer to come to Nottingham and see that valuable work. I know that he will be impressed, and I very much hope that he will feel that it is some of the best practice in the United Kingdom, which he may wish to share with other local authorities to encourage them.

Nottinghamshire is the first county council to display travel information on the Internet, and it hopes shortly to explore the use of cable television and variable message signs to help reduce congestion by getting information about the state of our roads to people in their homes before they leave for work or leisure activities, thus, one hopes, helping them to decide whether to leave the car at home and use public transport.

Those local councils have proved that, if they are given the tools, they will get on with the job and help to tackle the problem of air quality and pollution in our city. We all know that much more could be done. Local authorities such as Nottingham and Nottinghamshire, although they have an excellent record in tackling air quality, as demonstrated by the introduction of smoke control areas—one needs only to talk to councillors and council officers—know that they could do a heck of a lot more if the Government helped and encouraged them along the way.

For example, work could start quickly to minimise hot spots, where pollution is particularly chronic, and to reduce the incidence of summer and winter smog. It is necessary first to pinpoint the most severe problems and measure the pollution, and then take action to alleviate it.

Councillor John Hartshorne, the chairman of the council's environment committee, told me that Nottingham was keen to be one of the pilot areas tackling traffic pollution problems, but the Government rejected its bid. Along with a number of forward-thinking authorities, Nottingham scraped together its precious spare cash—that is indeed a precious commodity in these days of restraints on local council spending—and paid for its own traffic pollution monitoring facilities.

The local authorities that were chosen for the pilot projects on congestion monitoring were given only £3 million, as opposed to the £15 million that they calculated as necessary to do the job adequately.

Another way in which councils could be encouraged to tackle the problem of local air pollution and air quality involves car and lorry exhaust checks. Half all traffic pollution is generated by just 10 per cent. of the vehicles, so spot checks on cars and lorries are vital. However, only the police have the power to stop vehicles.

I am not asking the Minister to make a snap judgment today, but to go away and think about an issue that he and the Government have already considered and that needs to be re-examined. There should be discussions with the police to figure out how that power could be shared, so that local councils, perhaps working with the Vehicle Inspectorate, in certain tightly defined circumstances could have the power to stop vehicles.

An immense number of practical problems need to be resolved. We would not want people to pretend to be vehicle inspectors or local authority employees in order to stop people who were driving alone at night, but if the power were tightly defined, perhaps by agreeing certain hours and certain places where vehicles could be stopped, and if the individuals were appropriately uniformed and had appropriately screened, local authorities might be able to get on with the job of monitoring vehicle emissions and advising drivers how best to tackle that problem. There is no easy answer, but I hope that the Minister will at least think about the problem with an open mind and see whether there is an answer to it.

The Environment Act 1995 will allow for the introduction, in 1997, of regulations giving local authorities the power to enforce local road closures and diversions if air quality standards are breached in pollution hot spots. However, although a trunk road passing through the centre of Nottingham is likely to be the primary source of traffic pollution in the area, the local authority has no powers over trunk roads, and will only be able to close, or divert traffic away from, surrounding roads. Again, the Minister may wish to look at that power to see whether it can be extended.

What can the Government do further to assist local authorities? First, they must get their own job sorted out, and get their own house in order. The Government have said that they will set national targets for the nine worst pollutants, but as yet the provisions are not in force. Although a small group of local councils are piloting the initiative, the Government have stipulated that 2005 will be the year in which they hope to achieve their air quality objectives. Surely that policy could be reviewed by the Minister.

The problem is certainly getting worse. The Department of Transport has predicted that car use will more than double its 1988 level by 2025. Unfortunately, the Government have no transport policy to speak of.

[Mr. Graham Allen]

Indeed, I understand that they want to wind up the Department of Transport, because they do not see it as having any function.

The Government also, sadly, continue to do little to promote transport choice or the shift from the private car to buses, trains, bicycles and walking. If that shift does not take place, there will be a huge increase in the number of traffic jams in my city and in cities throughout the land. The Minister well knows that a car idling in a traffic jam can double its fuel consumption, and can put double the amount of pollution into the atmosphere compared with a vehicle travelling at its best average speed.

I am not putting an anti-car view. On the contrary, we can have more cars, as people do in Germany. In Germany, however, although there is a higher level of car ownership, there is a lower level of car use, because there are adequate public transport alternatives. People have cars, but use them less; that should in many ways be the slogan we adopt in our environmental policy on traffic.

No one pretends that the answers are easy or straightforward, but much can be done at all levels—city, county and national Government. We need policy co-ordination. Professor Richard Madeley of the department of public health at Nottingham university told me that, at the moment, it can cost £2.60 for two people to go to Nottingham city centre by bus, whereas it costs only 70p to park there for two hours.

We need to consider co-ordination and integration, and we need to encourage people, not least by the price mechanism, to use appropriate forms of transport rather than doing what we all do, which is to drag the car into the middle of the city, often with only one person in it, thus holding up the bus which often has 30, 40 or 50 people in it.

Local councils need time to plan the air quality management areas proposed in the Environment Act. So far, they have received no timetable, no funding and no guidance. Perhaps the Minister can tell us why there has been a delay.

People in Nottingham and throughout the country increasingly demand clean, green alternatives to private cars. The Government must now allow local authorities to create some of the transport choices that will lead us towards a greener future. We shall also need to look at the levels of funding for local authorities so that they can perform the job appropriately. It is not necessarily a matter of more funding. The problem could be solved by having stable funding. Ministers in all spending Departments are aware that annual funding for authorities or any organisation causes difficulties for those Ministers who are trying to make serious efforts to tackle key problems.

Nottingham is trying to tackle air pollution and air quality, but it has one hand tied behind its back. The Government should consider a range of additional policies to help tackle air pollution, including encouraging employers to introduce a green commuter plan, as Nottingham has done. The Government should make public transport better, more environmentally friendly and more pleasant to use, not least by increasing the use of buses. That could be facilitated by considering bus re-regulation, which is obviously necessary in a number of our cities because cowboy operators turn up with old charabancs that belch out black smoke to the detriment of the good public, municipal and private operators. Fuels with lower sulphur content should be used.

The Government should promote changed work patterns to reduce traffic peaks and pollution hot spots. We should make the fullest use of railways and inland and coastal waterways for the transport of goods and to discourage long-haul road transport, when appropriate. We need to develop and implement alternative sources of energy to fossil fuels; introduce priority vehicle schemes in city centres; and fund park-and-ride schemes.

There are many possibilities. Public transport, for example, could use more energy-efficient vehicles. In Nottingham, we could fuel vehicles from electricity generated by burning refuse. Public transport vehicles that operate in a mainly pedestrianised city centre could be fuelled from non-fossil-fuel-generated electricity. That would make a major contribution to air quality in the city centre.

A whole raft of bright ideas and innovative thinking is out there. There are bags of ideas. I ask the Minister to consider the fact that there are answers, provided we work at them. My final words to the Minister come from the three young people that I quoted when at the beginning of my speech—Abby, Laura and Zoe. They said:

> "If you or any one else won't do something about it, this earth will soon fade away and kill every living thing. Nearly all gases are dangerous to us so can you please try and do something about this."

I could not have put it better myself.

2.52 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. James Clappison): I welcome the opportunity to respond to a debate on the important subject of air quality, on which much progress has recently been made. Standards are rising, and that is right. Air quality is an important issue, in Nottingham as elsewhere in the country. I am happy to accept the invitation of the hon. Member for Nottingham, North (Mr. Allen) to visit Nottingham to see what is happening there.

Nottingham is part of the United Kingdom's smoke and sulphur dioxide monitoring network, and also takes part in the national nitrogen dioxide tube survey. That monitoring indicates that Nottingham experiences air quality that is, on the whole, pretty typical for urban areas in the United Kingdom, and levels of smoke and sulphur dioxide are well below the EC limit values.

We are currently improving our national monitoring networks further, to improve our assessment of the extent to which air quality standards and targets are being achieved; to provide better information to the public and other interested bodies; and to improve our understanding of air quality problems. To that end, this year we are expanding our automatic monitoring network to around 100 sites, including seven new automatic monitoring stations, one of which—the hon. Member will be pleased to hear—will be in Nottingham.

That site will provide continuous and accurate monitoring of ozone, nitrogen oxides, carbon monoxide, sulphur dioxide and particulate matter, to which the hon. Member drew attention. We are discussing an appropriate site for the station with the city council.

We need to do more than just monitor air quality. The air quality in the United Kingdom is generally pretty good, and has improved considerably over the past 30 to

40 years, but the Government recognise that many people are concerned about the smell, nuisance and potential health effects of some pollutants, We want to improve living conditions, especially in our cities and for the sake of future generations. We are determined to manage and improve air quality, both across the nation and wherever there are particular problems.

We are now preparing our first national air quality strategy, which will set air quality standards and targets and outline the measures that will be taken at international, national and local level to meet them. That will build on the controls that are already in place.

The United Kingdom already has in place one of the most sophisticated industrial air pollution control systems in Europe, consisting of integrated pollution control and local authority air pollution control. Authorisations are based upon what is described as the best available techniques not entailing excessive cost, which are reviewed every four years.

The first large review of integrated pollution control authorisations, dealing with electricity generators, has recently been completed. That will result in very substantial reductions in emissions of sulphur dioxide, nitrogen oxides and particulates. Emissions of sulphur dioxide and smoke from domestic households are controlled through the smoke control area system, which was introduced in 1956. Nottingham has five integrated pollution control processes in operation and 65 local authority air pollution controls. It completed its smoke control programme in 1991, so all households in the city fall within smoke control areas.

The hon. Gentleman mentioned vehicle emission, which is another important source of pollution, besides industrial pollution. It concerns many people. Traffic is a major pollutant, and in many of our towns and cities today it is the main source of air pollution.

Emissions from the transport sector are mainly controlled through European Community legislation, in particular through emission standards for new vehicles and standards on the quality of automotive fuels. European standards for new vehicles were agreed in the early 1990s, which made the fitting of catalytic convertors to petrol cars compulsory from 1993. Even more stringent standards for vehicles have been agreed for 1996-97.

These measures will provide the backbone to our policies for reducing emissions from road transport. As the proportion of vehicles conforming to the tougher standards grows, emissions of air pollutants should fall dramatically over the next 10 years—despite a likely steady rise in the size of the vehicle fleet and the number of kilometres driven. However, an increase in the volume of traffic will affect that picture over the longer term. Therefore, we need further progress to reduce average emissions per vehicle.

The European Commission is expected to bring forward new proposals for vehicle emission and fuel quality standards for the year 2000 and beyond. We shall be looking to agree a positive, cost-effective package of measures that will bring down vehicle emissions substantially and bring us closer to meeting our air quality objectives. As the cleaner vehicles come to predominate in the fleet, we will also tighten the enforcement standards for them, as the hon. Gentleman mentioned.

However, technological fixes are not enough; patterns of behaviour must change as well. We are therefore encouraging public and private fleet operators to act in an environmentally responsible way, and we are providing the public with information about greener motoring habits. We need a framework for that action to ensure that everyone understands what the important air quality priorities really are; we need to bring that home to people.

Mr. Allen: I thank the Minister for his courtesy in giving way. What is the current state of the debate on the diesel versus petrol problem? Many of us bought diesel cars thinking we were doing the right and the green thing. Now we are told to have second thoughts.

Mr. Clappison: We keep the question of emissions from diesel under close review. The hon. Gentleman referred to particulates. He will know that there is an issue about emissions from diesels. He will also know the measures to deal with that taken by my right hon. and learned Friend the Chancellor in the last Budget, which perhaps reflect the changed thinking to which the hon. Gentleman referred. It is fair to say that diesels also cause pollution, and we will be examining that point as we seek higher standards in the European Community.

Our approach has been based on expert scientific evidence. We are working on the best available scientific advice and on the best advice on the best outcome for health.

We have recently received reports and recommendations from the independent expert panel on air quality standards, as well as the committee on the medical effects of particulates. We also take into account information from other sources such as the World Health Organisation.

On the basis of this technical and scientific advice, we are looking to set down clear national standards and objectives for air quality, to be achieved by a given timetable. We seek a national strategy backed up by flexible and cost-effective action at a local level, through the system of local air quality management areas, to which the hon. Member adverted. In the time that is left, I emphasise that they have an important role to play, particularly in the local management areas to which the hon. Gentleman adverted.

We are also committed to keeping our policies under review to ensure that progress is maintained. As the hon. Gentleman implied a moment ago, scientific views and knowledge change and we have to keep abreast of those changes. We also have to make the best possible information available to the general public.

Our air quality strategy is under consideration. We have been putting in place the elements for it. It will shortly be available. We look forward to building on the considerable achievements that we have already had in improving air quality. We want to see improved air quality for future generations. We are taking the action to achieve this. I am sure that will be welcome to everyone, including to the three young ladies in the hon. Gentleman's constituency to whom he referred.

Question put and agreed to.

Adjourned accordingly at Three o'clock.

Written Answers to Questions

Monday 1 April 1996

PRIME MINISTER

Government Policy (South-West)

Mr. Coe: To ask the Prime Minister what assessment he has made of arrangements for co-ordinating Government policy towards the south-west. [24461]

The Prime Minister: The Government office for the south-west already plays a valuable role in ensuring close dialogue between Government and the people, businesses and local representative bodies of the south-west. But this is the largest English region, and it has distinct identities and needs. In recognition of this, I have asked the Minister for Local Government, Housing and Urban Regeneration to act as a central co-ordinator of Government policy towards the south-west. Working with colleagues in the relevant Government Departments, my hon. Friend will take a close interest in the broad issues affecting the whole of the south-west, but will focus particularly on the concerns and interests of the peninsular counties of Devon and Cornwall.

Ministerial Reponsibility

Mr. Peter Atkinson: To ask the Prime Minister if he will make a statement about ministerial responsibility for volunteering, the voluntary sector and charity matters. [24475]

The Prime Minister: In consultation with my right hon. and learned Friend the Secretary of State for the Home Department and my right hon. Friend the Secretary of State for National Heritage, I have decided that ministerial responsibility for:

Government co-ordination of policy on the voluntary sector including volunteering,

charity matters, including sponsorship of the charity commission grants to voluntary sector infra-structure bodies,

sponsorship of the National Lottery Charities Board, the Community Development Foundation and the Volunteering Partnership,

should be transferred as soon as the necessary financial and other arrangements can be made from my right hon. and learned Friend the Secretary of State for the Home Department to my right hon. Friend the Secretary of State for National Heritage. I have concluded that these matters will fit more appropriately within the framework of the responsibilities of my right hon. Friend the Secretary of State for National Heritage, who already has responsibility for other lottery distributors.

No. 10 Downing Street (Receptions)

Mr. Hall: To ask the Prime Minister who hosted the reception held at No. 10 Downing street on *(a)* 7 November 1994 and *(b)* Monday 6 November 1995. [23724]

The Prime Minister: My wife hosted a reception on 7 November 1994. There was no reception on 6 November 1995.

EU Legislation

Mr. Steen: To ask the Prime Minister how many pieces of existing Community legislation have been repealed or amended in each of the past three years. [23698]

The Prime Minister: This information is not held centrally and could be obtained only at disproportionate cost. Much new Council and Commission legislation supersedes, repeals or amends existing legislation.

Mr. Hall: To ask the Prime Minister which Ministers have hosted non-official party receptions of functions in No. 10 Downing street since July 1993. [23605]

The Prime Minister: The Secretary of State for Foreign and Commonwealth Affairs has hosted three receptions since July 1993.

Mr. Hall: To ask the Prime Minister if he will list all the functions for industrialists held at No. 10 Downing street which were attended by the chairman of the Conservation party since November 1990. [23777]

The Prime Minister: As far as I am aware, none.

Iraq

Mr. Dalyell: To ask the Prime Minister what proposals he will bring forward to the international community to address health problems among the population of Iraq. [23757]

The Prime Minister *[holding answer 29 March 1996]:* United Nations Security Council resolution 986 is designed to bring much-needed relief to the people of Iraq by permitting the sale of oil to purchase more humanitarian supplies. Iraq has so far refused to implement the resolution. We, and a number of other countries, already give substantial support to humanitarian projects in Iraq, many of which specifically address health needs. Food and medical supplies are not subject to United Nations sanction.

Creutzfeldt-Jakob Disease

Mr. Bermingham: To ask the Minister if he will make it his policy to compensate fully any person who has contracted CJD from beef since 1989. [23602]

The Prime Minister *[holding answer 29 March 1996]:* Any claim for compensation would be considered within the framework of the Government's legal obligations.

TREASURY

Capital Projects (Voluntary Contributions)

Mrs. Anne Campbell: To ask the Chancellor of the Exchequer what plans he has to make voluntary contributions to capital projects tax deductible. [21879]

Mr. Jack: Voluntary contributions to capital projects will commonly be tax deductible under the present system. For instance, a person who, for the purposes of his or his tenant's trade, contributes towards another's capital expenditure can generally claim capital allowances on that contribution. And businesses can have a deduction in calculating business profits for tax purposes for

contributions to a capital project if the expenditure is revenue in nature and incurred wholly and exclusively for business purposes.

Contracts

Mr. Donohoe: To ask the Chancellor of the Exchequer what guidelines are currently in force in his Department and its executive agencies relating to competitive tendering and the use of single negotiated tenders; on what grounds single negotiated tenders can be used; and what procedures are in place within his Department to ensure that the use of single negotiated tenders in competitive tendering processes is justified in all cases. [22860]

Mrs. Angela Knight: It is Treasury policy that all contracts to be placed by the Department with a potential value of over £10,000 should be the subject of a competitive under tender. The Government's public purchasing policy consolidated guidelines require goods and services to be acquired by competition unless there are convincing reasons to the contrary, such as *(a)* the requirement cannot be sufficiently defined so that normal tendering procedures cannot be adopted; *(b)* there are insufficient firms in the market capable or willing to bid; *(c)* intellectual property rights restrict the options available; or *(d)* extreme urgency, where for example public safety is at risk. All competitive tenders are processed by the Department's purchasing unit. Cases for single tendering are put to the unit where they are evaluated on an individual basis, following the guidelines.

Mr. Donohoe: To ask the Chancellor of the Exchequer how many contracts for goods or services have been awarded by his Department and executive agencies on the basis of single negotiated contracts in each of the last three years; if he will list the companies involved and the value of the contract in each case; what percentage this represented of contracts awarded by his Department and its agencies after competitive tendering; and, in each case, why the contracts were awarded on the basis of a single negotiated tender. [22872]

Mrs. Knight: It is Treasury policy that all purchases made by the Department should be subject to competition. Each exception is treated on its merits. Individual contracts would each need to be checked to determine the overall number in this category, the value of each such contract and the reason why it was awarded on a single course basis. This information could be made available only at disproportionate cost.

Manufacturing Exports

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer if he will publish figures for United Kingdom exports of manufactures in the form of the first three lines of the table in page 31 of the March OECD main economic indicators. [22959]

Mrs. Angela Knight: The best available estimates of values of UK exports of manufactures in US dollars at 1991 prices can be made from information available from the CSO database which may be accessed by the House of Commons Library.

Parliamentary Questions

Mr. Donohoe: To ask the Chancellor of the Exchequer what was the total cost of answering parliamentary questions in each parliamentary Session since 1989–90. [22902]

Mrs. Angela Knight: The estimated cost of answering questions to Treasury Ministers is given in the list:

1989–90: £219,000
1990–91: £164,000
1991–92: £104,000
1992–93: £342,000
1993–94: £208,000
1994–95: £256,000.

These figures are based on service-wide average costs and assume that half the questions tabled for oral answer were in fact answered in writing.

EDS Software

Mr. Redmond: To ask the Chancellor of the Exchequer what out-sourcing contracts his agencies have with the EDS software computer system; what is the current cost; when the contract ends; what are the penalties involved should he seek early termination of the contract; and if he will make a statement. [23740]

Mrs. Angela Knight: None of these agencies holds out-sourcing contracts with the EDS software computer system.

Mr. Redmond: To ask the Chancellor of the Exchequer if he will list the terms of contract the Inland Revenue has with the EDS computer system; and if he will make a statement. [23718]

Mr. Jack: I am unable, on the ground of commercial confidentiality, to give any details of specific provisions contained with the contract between Inland Revenue and EDS.

Season Tickets (Taxation)

Mr. Clelland: To ask the Chancellor of the Exchequer what is the amount of revenue which the Treasury accrued in the financial year 1994–95 from the taxation of staff perquisites in relation to bus and rail season tickets. [23711]

Mr. Jack: Employees are generally liable to income tax on vouchers provided for free or cheap travel. Where the employee takes a cheap or interest-free loan from the employer to purchase a season ticket, no tax is chargeable if the total balance outstanding does not exceed £5,000 at any time in the year of assessment in question.

Estimates of the revenue raised from the taxation of these vouchers and loans are not available.

Earnings Statistics

Mr. Sedgemore: To ask the Chancellor of the Exchequer what was the change in real take-home pay for (i) a one-earner couple with two children and (ii) a single person on *(a)* 75 per cent., *(b)* 100 per cent. and *(c)* 150 per cent. of average male earnings, in pounds per week at 1995–96 prices, to the nearest 5p in the years 1990–91 to 1991–92 and 1992–93 to 1993–94. [22388]

Mrs. Angela Knight *[holding answer 25 March 1996]:* The information requested is contained in the table.

Change in real take-home pay
(£s per week to the nearest 5p 1995–96 prices)

Percentage of male average earnings	*75 per cent.*	*100 per cent.*	*150 per cent.*
1990–91 to 1991–92[1]			
One-earner couple with 2 children[2]	5.95	7.40	9.10
Single	5.40	6.80	9.10
1992–93 to 1993–94[2]			
One-earner couple with 2 children[2]	3.35	4.30	6.20
Single	3.10	4.05	3.30

[1] Two child benefit regimes were in operation during 1991–92—one covering April 1991 to September 1991 and one from October 1991 to March 1992. The year average of the two regimes is used in this calculation.
[2] Child benefit is treated as a negative income tax.

Tax Reliefs

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what is the annual expected cost to the Exchequer of the tax reliefs on *(a)* personal equity plans, *(b)* tax-exempt special savings accounts and *(c)* national savings products, in (i) 1995–96 and (ii) 1996–97. [22776]

Mr. Jack *[holding answer 26 March 1996]:* The latest estimates are in the table.

Estimated total cost of tax relief

	1995–96[1 2] *£ million*	*1996–97*[1 2 3] *£ million*
PEPs[4]	450	650
TESSAs	450	350
National Savings Products[5]	350	350

[1] Provisional
[2] These figures are tentative and subject to a wide margin of error. They have been rounded to the nearest £25 million.
[3] The cost will fall in 1996–97 due to the reduction in the basic rate of income tax on savings from 25 per cent. to 20 per cent. and follow-up accounts starting with only the capital (but none of the interest or bonuses) from the first TESSA.
[4] Including the CGT cost of capital gains within Personal Equity plans.
[5] Cost of exemption of interest on National Savings Certificates including index-linked Certificates, and first £70 of National Savings bank ordinary account interest.

Income Tax

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what is his estimate of the revenue which would be raised by introducing a new upper rate of income tax of *(a)* 45 per cent. and *(b)* 50 per cent. for marginal incomes above (1) £75,000 per annum, (2) £80,000 per annum, (3) £100,000 per annum and (4) £1,000,000 per annum; and if he will estimate, in each case, the number of individuals whose post-tax incomes would be affected. [22687]

Mr. Jack *[holding answer 26 March 1996]:* Estimated full-year yields at 1996–97 income levels are given in the table. The estimates do not take account of any behavioural effects which might result from the introduction of such changes. It is not possible to provide a reliable estimate of the effect of introducing the higher tax rates for taxable incomes over £1,000,000.

Lower limit of taxable income	*Full year revenue yield at 1996–97 income levels*[1] *Upper rate*		*Number of taxpayers affected*
	45 per cent.	*50 per cent.*	
£	*£ billion*	*£ billion*	*Thousands*
75,000	0.8	1.5	190
80,000	0.7	1.4	170
100,000	0.6	1.1	110

[1] The figures include consequential effects on the yield of capital gains tax.

Tax-free Lump Sums on Retirement

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what is his estimate of the revenue consequence of restricting the tax-free lump sum on retirement to £75,000. [22689]

Mr. Jack *[holding answer 26 March 1996]:* I regret that the information required to provide such an estimate is not available because detailed figures on tax free payments are not required for tax administration. The current level of the earnings cap is £78,600 and from 6 April 1996 it will rise to £82,200, giving a maximum lump sum of £123,300.

Orders

Mr. Win Griffiths: To ask the Chancellor of the Exchequer how many orders under the negative resolution procedure have been brought into effect on the day they have been made since January 1995. [23316]

Mr. Jack *[holding answer 29 March 1996]:* None.

TRADE AND INDUSTRY

Defence Exports

Ms Rachel Squire: To ask the President of the Board of Trade what plans he has to establish a launch aid scheme for defence export products. [23685]

Mr. Eggar: None. The promotion of defence export product is primarily a matter for my right hon. Friend the Secretary of State for Defence. The statutory basis for launch aid is the Civil Aviation Act 1982.

Aerospace Technology

Ms Rachel Squire: To ask the President of the Board of Trade what additional support has been given to the Society of British Aerospace Companies' competitiveness challenge since the 1995 report from the technology foresight panel. [23691]

Mr. Eggar: My Department has fully supported and the Society of British Aerospace Companies' competitiveness challenge to increase the aerospace industries' competitiveness.

In addition to the £86,000 given to the competitiveness challenge, prior to the publication of the technology foresight panel's report in 1995, DTI has provided further

direct financial assistance to the programme of £165,000 as well as a full-time DTI member of staff, seconded to the SBAC.

DTI has also provided £50,000 to the competitiveness challenge-related supply chain relationships in aerospace initiative.

Ms Squire: To ask the President of the Board of Trade what additional support has been given to the Engineering and Physical Sciences Research Council's innovative manufacturing initiative since the 1995 report from the technology foresight panel. [23690]

Mr. Ian Taylor: The EPSRC's allocation for 1996–97 is £375.95 million. None of this has been specifically allocated by Government to the innovative manufacturing initiative and it is for EPSRC to decide how much to spend on it.

UK Space Agency

Ms Rachel Squire: To ask the President of the Board of Trade what plans he has to create a UK space agency with a dedicated space budget. [23687]

Mr. Ian Taylor: The UK's expenditure on civil space programmes, totalling some £180 million a year, is co-ordinated by the British national space centre, which comprises eight Government Departments, agencies and research councils.

British Coal

Mrs. Clwyd: To ask the President of the Board of Trade whether permission was *(a)* sought from the guarantor and *(b)* given by the guarantor for British Coal's action in appropriating the assets of the industrial death and retirement fund. [23515]

Mr. Page: This is a matter for the British Coal Corporation. I understand, however, that the industrial death and retirement scheme—it was not a fund—had no guarantor. British Coal retains the liability to meet all entitlements under the scheme, and informed my Department of its plans before the scheme closed in January 1995.

Life Assurance (Orphan Assets)

Mr. Darling: To ask the President of the Board of Trade what representations he has received regarding his Department's policy on the disposal of orphan assets held by the life assurance industry: and if he will make a statement. [23995]

Mr. Nelson: My Department's general approach to this question was set out by my hon. Friend the then Minister for Corporate Affairs on 24 February 1995, *Official Report*, columns *362–63*, in the context of an announcement by the United Friendly Insurance Co. about attribution of its estate. Since then, a number of life offices have announced that they are entering discussions with my Department over the attribution of their long-term funds. In addition, the Department has received representations from some 20 interested parties.

Mr. Darling: To ask the President of the Board of Trade what estimate he has made of the value of orphan assets currently held by the life assurance industry. [23996]

Mr. Nelson: A precise figure is not available. Any estimate is subject to a wide margin of error because of the differences in the circumstances of individual companies. In aggregate, the unattributed assets of long-term funds of proprietary life offices are likely to be of the order of £20 billion to £25 billion. I expect much of this to remain undistributed within the funds for the foreseeable future.

British Business (Cuba and United States)

Mr. Tony Lloyd: To ask the President of the Board of Trade what action the British Government intend to take to ensure that British businesses are not adversely affected by the United States Cuba Liberty and Democratic Solidarity (Libertad) Act. [23077]

Mr. Nelson *[holding answer 27 March 1996]:* The key provisions of this legislation are titles III and IV. Title III introduces a private right of action in the US courts for US nationals against non-US persons allegedly trafficking in property expropriated from US nationals in Cuba. Title IV excludes from the US any alien, including company officials and controlling shareholders, allegedly trafficking in confiscated property, a claim to which is owned by a US national.

The impact of the legislation on British business will depend on the way in which it is implemented by the US Administration and the US courts. The UK, the EU and other Governments have made a number of representations to the US authorities on the matter and the Government are considering what further action might be appropriate.

Loan Guarantee Scheme

Mr. Jamieson: To ask the President of the Board of Trade what was the value of the loan guaranteed by his Department to Porthocurno Management Co. Ltd. under the loan guarantee scheme in 1994 and the value of the guarantee that was assessed when the company was dissolved. [22569]

Mr. Oppenheim *[holding answer 25 March 1996]:* This information is commercially confidential between the Department and the lender.

I can confirm the Department has paid a demand under the guarantee to the sum of £70,601.16.

FOREIGN AND COMMONWEALTH AFFAIRS

EDS Software

Mr. Redmond: To ask the Secretary of State for Foreign and Commonwealth Affairs what out-sourcing contracts his agencies have with the EDS software computer system; what is the current cost; when the contract ends; what are the penalties involved should he seek early termination of the contract; and if he will make a statement. [23726]

Mr. Hanley: The executive agencies of this Department have no contracts for software computer systems with EDS.

BEST COPY AVAILABLE

New York Assembly Bill

Mr. Robert McCartney: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made by United Kingdom diplomats in the United States of America on the New York Assembly Bill, Ref. A6510/S4880, amending the education law in relation to instruction on genocide and mass starvation in Ireland from 1845 to 1850; and if he will make a statement. [23222]

Mr. Rifkind: None. The consulate-general in New York, who is monitoring the legislation closely, believes that this Bill is unlikely to pass into law.

BBC World Service

Mr. Robert McCartney: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the estimated audience for BBC World Service English language broadcasts in each of the 10 countries with most listeners; and from which 10 countries the most audience letters are annually received with the numbers involved. [23224]

Mr. Hanley: The estimated audiences for BBC World Service English language broadcasts are as follows:

Top 10 countries (excluding UK)

Country	*Audience (millions)*
Nigeria	7.5
India	5.5
USA	3.5
Australia	1.9
Ghana	1.1
Ethiopia	0.9
Kenya	0.9
Bangladesh	0.8
Germany	0.7
Uganda	0.7
Total	23.5

The UK domestic audience is estimated at 1.3 million.

The highest numbers of letters in 1995 were received from the following countries:

Country	*Letters*
India	172,000
Burma	78,700
Nigeria	32,400
Indonesia	29,000
China	25,800
Pakistan	19,000
Sri Lanka	10,800
Algeria	10,400
Egypt	9,800
Somalia[1]	3,500

[1] A further 4,000+ letters originated in Somalia but were posted via other countries, assisted by the Red Cross.

The World Service received 13,400 letters from the UK in 1995.

Mr. McCartney: To ask the Secretary of State for Foreign and Commonwealth Affairs what would be the annual cost and the estimated savings involved in rebroadcasting BBC Home Service programmes on to the current schedule of the World Service or the proposed World Service news and current affairs channel; and if he will make a statement. [23225]

Mr. Hanley: Programme content is a matter for the BBC World Service. English language programmes are prepared for a global audience. Most listeners have English as a second language. Many have no first-hand knowledge of the UK. BBC Home Service programmes are meant for a UK audience, but the World Service uses them when appropriate.

The BBC has made no estimate of the cost of rebroadcasting domestic material since most of it is unsuitable for its global audience.

WEU (Irish Republic)

Mr. Robert McCartney: To ask the Secretary of State for Foreign and Commonwealth Affairs what commitments the Irish Republic was required to make in relation to territorial claims on fellow members of the Western European Union when it applied for observer status of that organisation; and if he will make a statement of the compatibility of such claims with the WEU's European defence policy. [23226]

Mr. Rifkind: The Rome declaration of 20 November 1992 on WEU observers, which recorded the invitation to the Republic of Ireland to become an observer, does not incorporate any such commitments. We do not regard the Irish constitutional position as incompatible with observer status in WEU.

Refugees (Croatia)

Mr. Robert McCartney: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps are being taken to ensure the safe return of the refugee followers of Fikret Abdic from Kolaric in Croatia to their homes in Velika Kladusa; and what instructions have been given to United Kingdom forces in Bihac in respect of this matter. [23223]

Sir Nicholas Bonsor: All but 5,900 followers of Fikret Abdic have returned to Bosnia. The rest remain in the Kuplensko refugee camp in Croatia. The United Nations High Commissioner for Refugees and the Croatian authorities have decided to close the camp. Those who do not wish to return to Bosnia will be moved further away from the border until permanent arrangements for their future are worked out.

There are no British units based in Bihac.

Appeals Mechanisms

Mr. Steen: To ask the Secretary of State for Foreign and Commonwealth Affairs how many appeals mechanisms, as laid out in section 6 of the Deregulation and Contracting Out Act 1994, he expects to establish by the end of 1996; how many staff each appeals system will employ; and what their estimated annual running costs will be. [23613]

Mr. Hanley: I refer the hon. Member to the answer given today by my right hon. Friend the Chancellor of the Duchy of Lancaster.

St. Helena

Mr. Key: To ask the Secretary of State for Foreign and Commonwealth Affairs which commercial bank applied for a banking licence on St. Helena prior to 1996; for what reasons it was not granted; and if he will make a statement. [23625]

Sir Nicholas Bonsor: The Bank of Nova Scotia applied for a banking licence in 1994, but subsequently withdrew its application.

Mr. Key: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the average gross annual income on the island of St. Helena of each quartile of those employed in *(a)* the private sector and *(b)* the public sector. [23626]

Sir Nicholas Bonsor: Information in the form requested cannot be extracted from the statistical data.

ENVIRONMENT

Competitive Tendering

Mr. Congdon: To ask the Secretary of State for the Environment if he will list for England and for each English local authority for the latest year for which figures are available *(a)* the number of contracts put out to competitive tender, *(b)* the number and percentage of those bids which were won by in-house teams, *(c)* the number and percentage of those bids won by other local authority-managed teams and *(d)* the number and percentage of those bids won by private companies; and what was the political control of each authority in the relevant year. [23380]

Sir Paul Beresford: This information is not held centrally. The Local Government Management Board publishes survey reports of its CCT information service which give information about eight areas of activity covered by the Local Government Act 1988. Copies are available in the Library of the House.

Policy Planning Guidance

Mr. Vaz: To ask the Secretary of State for the Environment what was the date he originally announced for the publication of the revised guidance PPG6; and when he now expects the guidance to be published. [23669]

Sir Paul Beresford: No date has been announced for the publication of the revised PPG6, but I expect to be in a position to publish in May.

Mr. Vaz: To ask the Secretary of State for the Environment how many representations he has received asking for publication of the revised PPG6. [23670]

Sir Paul Beresford: We have received no representations, but we have had a number of inquiries about the publication date.

Butchers (Rate Reduction)

Mrs. Lait: To ask the Secretary of State for the Environment if a reduction in uniform business rate will be made for butchers with stocks of unsold beef. [23768]

Sir Paul Beresford: I have no plans to make such a reduction.

Water Industry

Mr. David Nicholson: To ask the Secretary of State for the Environment when he will issue his consultation paper on proposals for promoting greater competition in the water industry. [24287]

Mr. Gummer: I have today issued a consultation paper on extending competition and customer choice in water and sewerage services.

Competition is the best guarantee for consumers that they receive value for money, better services and lower prices. The Government are looking to increase progressively competition in the water industry within a strong regulatory framework designed to ensure effective protection and enhancement of water quality and the environment. The proposals in this consultation document, "Water—Increasing Customer Choice", mark an important step in this process.

In summary, the proposals which have been developed in consultation with the Director General of Water Services, would:

- Introduce scope for water suppliers to compete for customers through the shared use of water mains. This "common carriage" arrangement would involve the use of an existing supplier's pipework by other suppliers in order to provide individual customers with a choice of supplier. "Common carriage" opportunities would allow any existing water undertaker or new supplier to compete for "large users" with a view to extending competition to other customers in the future.
- Introduced safeguards to ensure that standards of water quality and reliability of supply are maintained and to enable the Director of Water Services to protect customers of the existing water undertakers.
- Introduce similar "common carriage" provisions in the sewerage industry.
- Extend the existing scope for "inset appointments" which allow a new water or waste water undertaker to be appointed to supply an area within an existing undertaker's area of appointment. Proposed changes would allow such appointment to be for limited periods only and increase the number of opportunities for their use.
- Remove the existing restrictions on cross-border supply to enable a water undertaker to supply water for non-domestic purposes to customers in the area of another licensed undertaker.
- Remove the water undertaker's monopoly on making connections to the water main.

The Director General of Water Services intends to issue a further consultation paper on the regulation of common carriage agreements.

Competition provides opportunities for customers to choose the combination of price and service which best meets their particular needs. Where such choice does not already exist, competition offers operators the opportunity to provide it where they believe it would be profitable to do so.

Copies of this consultation paper, on which comments are requested by 1 July 1996, have been placed in the Library.

Abattoir Waste

Mr. Hinchliffe: To ask the Secretary of State for the Environment (1) what regulations exist to control disposal of waste from abattoirs *(a)* in water catchment areas, *(b)* in areas used for grazing and *(c)* adjacent to public rights of way; [23214]

(2) if the spreading of blood and gut contents on land will be brought within waste management regulations. [23237]

Mr. Clappison: The disposal of substances discarded as waste by abattoirs is controlled under part II of the Environmental Protection Act 1990 and the Waste Management Licensing Regulations 1994. These controls also apply to such wastes which are recycled by spreading on land for the benefit of agriculture. The objective of these controls is to ensure that waste is disposed of, or recycled, without endangering human health or harming the environment. The Environment Agency is responsible from 1 April 1996 for the administration and enforcement of the waste management licensing system.

Mr. Hinchliffe: To ask the Secretary of State for the Environment what studies have been carried out into potential human health risks associated with the distribution of abattoir waste *(a)* in water catchment areas, *(b)* in areas used for grazing and *(c)* adjacent to public rights of way. [23215]

Mr. Clappison: The Department, together with the Ministry of Agriculture, Fisheries and Food and the national Rivers Authority, is funding research to provide guidance on the landspreading of industrial wastes, including abattoir waste. A prime objective of the research is to provide technical, scientific and practical guidance on the spreading of industrial wastes on land in a manner that protects human health and the environment as required by article 4 of the waste framework directive 91/156/EEC.

The results of the research will be published by the Environment Agency.

Mr. Hinchliffe: To ask the Secretary of State for the Environment what level of advice he receives from the Ministry of Agriculture, Fisheries and Food relating to the disposal of abattoir waste *(a)* in water catchment areas, *(b)* in areas used for grazing and *(c)* adjacent to public rights of way. [23216]

Mr. Clappison: The code of good agricultural practice for the protection of water, jointly prepared by the Ministry of Agriculture, Fisheries and Food and the Welsh Office Agriculture Department, provides guidance on the application of wastes from animal processing to all types of agricultural land.

Mr. Hinchliffe: To ask the Secretary of State for the Environment what monitoring takes places of the effectiveness of the code of good practice for the protection of water following the disposal of abattoir waste in water catchment areas. [23220]

Mr. Clappison: The spreading of waste on land for the benefit of agriculture or ecological improvement is a recovery operation for the purposes of the amended EC framework directive on waste; and is controlled under part II of the Environmental Protection Act 1990 and the Waste Management Licensing Regulations 1994. The objective of these controls is to ensure that waste is recovered without endangering human health or harming the environment.

It is an offence under section 33 of the 1990 Act to carry out this operation without a waste management licence or contrary to the conditions of a licence or a licence exemption. The administration and enforcement of the licensing system are the responsibility of waste regulation authorities whose functions are transferred to the Environment Agency with effect from 1 April 1996.

The National Rivers Authority also has statutory duties and powers to protect the aquatic environment from pollution and the authority is required to monitor water quality and investigate pollution incidents. The authority's functions are also transferred to the Environment Agency with effect from 1 April 1996.

Any pollution incidents that result from abattoir waste being spread in contravention of these controls will be taken into account when the "Code of Good Agricultural Practice for the Protection of Water" is reviewed.

Deregulation

Mr. Steen: To ask the Secretary of State for the Environment, pursuant to the oral answer of the Chancellor of the Duchy of Lancaster to the hon. Member for Colchester, North (Mr. Jenkin) on 26 February, *Official Report*, column 576, if he will list those statutory instruments and Acts of Parliament which have been gold plated in the past five years; and what steps he is taking to amend or repeal each piece of gold plating on existing legislation. [23637]

Sir Paul Beresford: The Government's policy is not to add unnecessary burdens when implementing EC directives. Departments take every opportunity to review existing legislation in the light of this. Officials are currently working on revised guidance to enable Ministers to see where implementing legislation goes beyond the underlying EC directive.

Appeals Mechanisms

Mr. Steen: To ask the Secretary of State for the Environment how many appeals mechanisms, as laid out in section 6 of the Deregulation and Contracting Out Act 1994, he expects to establish by the end of 1996; how many staff each appeals system will employ; and what their estimated annual running costs will be. [23615]

Sir Paul Beresford: I refer my hon. Friend to the reply given today by my right hon. Friend the Chancellor of the Duchy of Lancaster.

Shopping Centres

Mr. Hinchliffe: To ask the Secretary of State for the Environment what powers are available to local authorities to enable them to maintain the competitiveness of town and city shopping centres against out-of-town shopping centres; and if he will make a statement. [24020]

Sir Paul Beresford: Local authorities can help by ensuring that the services for which they are responsible are delivered as effectively and efficiently as possible. This includes providing a clear planning framework and local plan that properly reflects the principles set out in PPG6—retailing and town centres—and PPG13—transport.

Environment Agency

Ms Ruddock: To ask the Secretary of State for the Environment what measures he has taken in respect of potential conflicts of interests for members of the board

of the Environment Agency who are professionally engaged in industries that must be licensed by the agency with particular reference to the chairman of Ready Mixed Concrete. [23775]

Mr. Clappison: The statutory requirements in respect of agency board members' interests are set out in schedule 1 to the Environment Act 1995. Agency board members were required by their terms of appointment to abide by the Department's general guidance on the declaration and registration of interests—both financial and non-financial—until the agency had drawn up and issued its own guidance. The agency is required to draw up a code of practice for its board members, based on the Government's general code of best practice for board members of public bodies, for approval by the Department. This will incorporate guidance on the declaration and registration of interests.

Hazardous Waste

Mr. Clifton-Brown: To ask the Secretary of State for the Environment what further action is needed to implement Council directive 91/689/EEC as amended by 94/31/EC, the hazardous waste directive. [24369]

Mr. Clappison: The Special Waste Regulations 1996 were laid before Parliament today and will come into force on 1 September 1996 and implement Council directive No. 91/689/EEC on hazardous waste as amended by Council directive 94/31/EC. These regulations replace the Control of Pollution (Special Waste) Regulations 1980.

The main provisions of the 1996 regulations are to:

- introduce new criteria for determining whether or not waste is special;
- require pre-notification of movements to the Environment Agency by consignment note;
- provide better descriptions of wastes and their associated hazards by means of a revised design for the consignment note;
- simplify arrangements for repetitive movements and collection rounds;
- ban mixing by carriers and consignees of categories of special wastes, and of special with non-special wastes, unless for safe disposal;
- require periodic inspections by regulators of special waste producers; and
- introduce fees for many consignments of special wastes.

The new regulations contain a number of deregulatory initiatives, designed to make the system easier to operate, while ensuring that special waste is soundly managed, and safely reaches appropriate facilities. Provisions include specific criteria for determining whether or not waste is special, to keep to a minimum the number of wastes which will be subject to these regulations, consistent with the overall aim of securing adequate levels of environmental protection.

These regulations also introduce fees, in line with the "polluter pays" principle, and to recover the costs incurred by the environment agencies for ensuring compliance with the regulations. A fee of £15 will be payable for most consignments. Consignments of automotive lead-acid batteries will attract a fee of £10 because they will be subject to lower levels of regulation.

Public consultation was carried out in March 1995 on the proposed regulations and accompanying guidance. The regulations have been modified to reflect the concerns and interests of industry, regulators and the public in response to those consultations. The Government are satisfied that these regulations will continue to ensure the environmentally sound management of special waste movements within Great Britain.

Waste Disposal Inquiry (Kent)

Dame Peggy Fenner: To ask the Secretary of State for the Environment when he expects the report from the inspector involved in the public inquiry on Kent county council's waste disposal plan to be available. [23430]

Mr. Robert B. Jones *[holding answer 29 March 1996]:* The inspector's report on objections to the Kent waste local plan is expected to be issued to Kent county council in April 1996. It will be for the council to decide when to publish the report. I have asked the Planning Inspectorate's chief executive to write to the hon. Member.

Letter from D. E. John to Dame Peggy Fenner, dated 28 March 1996:

The Secretary of State for the Environment has asked me to reply to your question about the Inspector's report on objections to the Kent Waste Local Plan.

The report is expected to be issued to Kent County Council in April 1996. It will be for the Council to decide when to publish it.

HOUSE OF COMMONS

Early-day Motions

Mr. Steen: To ask the Lord President of the Council what is the total annual cost to public funds of early-day motions. [23643]

Mr. Newton: Her Majesty's Stationery Office estimates that the total cost to public funds of producing EDMs in the *Official Report*, for the Session 1994–95, was £1,868,000.

Mr. Steen: To ask the Lord President of the Council what is the average number of signatures added to early-day motions per week. [23642]

Mr. Newton: The parliamentary on-line information service database records that, from 15 November 1995 until 26 March 1996, 28,842 signatures were added to EDMs over 77 sitting days, averaging 374.57 per day.

DUCHY OF LANCASTER

HMSO

Mr. Derek Foster: To ask the Chancellor of the Duchy of Lancaster (1) what outstanding loans HMSO has; and from what source these loans come; [23251]

(2) what plans there are to extend or replace the HMSO service level agreement that is held with the Ministry of Defence; [23255]

(3) what service level agreements HMSO holds with other Government Departments; and which of these are due to expire during 1996; [23253]

(4) on what date the HMSO 1996 accounts are expected to be published. [23256]

(5) what is the value of goods and services supplied by HMSO under the Ministry of Defence service level agreement. [23254]

Mr. Freeman: As these are purely operational matters, I have asked the chief executive of HMSO to reply directly to the right hon. Member.

Letter from Mike Lynn to Mr. Derek Foster, dated 28 March 1996:

I have been asked by the Chancellor of the Duchy of Lancaster to reply to your Parliamentary Questions Nos 140, 141, 142, 145 and 146. The information is as follows:

140. As at 26 March 1996, HMSO had one outstanding loan of £12m, advanced from the National Loans Fund.

141. New service agreements were signed with the MOD on 13 March 1996, for both office supplies and print. These agreements will run for two years.

145. HMSO normally publishes its Trading Fund Accounts at the end of April. Subject to audit, we expect to do the same this year.

146. In 1995, £25m of office stationery products and £11m of print were supplied to the MOD.

142. HMSO currently holds the following major service level agreements with other Government departments:

Customer	*HMSO Business*	*Expiry date*
Passport Agency	Security Print	1999
Benefits Agency	Security Print	1998
OPCS	Security Print	1997
Vehicle Inspectorate	Security Print	1999
National Savings	Security Print	2000
DSS	Print and Logistics	1997
IR	Print and Logistics	1997
UKPA	Print and Logistics	1996
F&CO	Print and Logistics	1996
DNS	London Print	1998
MOD	Norwich Print	1998
MOD	Office Supplies	1998
DSS	Office Supplies	1996
IR	Office Supplies	1998
Home Office	Office Supplies	1997
C&E	Office Supplies	1997
LCD	Office Supplies	1996
Emp. & Ed	Office Supplies	1997
Environment	Office Supplies	1997
Scottish Office	Scotland	1997
GPS/NI	Northern Ireland	1997
DENI	Northern Ireland	1996
IR	Business Systems	1997
DSS	Business Systems	1996
DVLA	Business Systems	1997

Mr. Foster: To ask the Chancellor of the Duchy of Lancaster when the House will be given full details of the information memorandum related to the proposed sale of HMSO. [23257]

Mr. Freeman: The information memorandum is a commercially sensitive document to which access is carefully controlled in order to protect HMSO's business and the interests of the Government in the sale process. I do not intend therefore to make the information memorandum generally available. However, in accordance with the undertaking which I gave to the Finance and Services Select Committee when I appeared before it on 21 November 1995, I shall provide the information memorandum to the Committee Clerk.

Mr. Foster: To ask the Chancellor of the Duchy of Lancaster what leasehold and freehold properties are to be included with the proposed sale of HMSO. [23252]

Mr. Freeman: The intention is that all freehold and leasehold properties occupied by HMSO at the time of the sale, with the exception of suite B, St. Clement's house, should be included with the proposed sale.

Departmental Publications

Mr. Steen: To ask the Chancellor of the Duchy of Lancaster, pursuant to his answer of 26 February, *Official Report*, column *328*, what was the cost of printing and distribution for the two booklets "Getting a Good Deal in Europe" and "Checking the Cost of Regulation"; and when he intends to distribute the remaining copies of these publications. [23640]

Mr. Freeman: The cost of printing the two booklets was:

	£
"Getting a good deal in Europe . . . Deregulatory Principles in Practice"	8,062
"Checking the Cost of Regulation: A Guide to Compliance Cost Assessment"	8,666

The costs of distribution are not separately identified.

Current stocks are intended to last the lifetime of the booklets and are made freely available to officials throughout Government and to others with an interest as and when they are needed. I have also sent copies of the compliance cost assessment booklet to my ministerial counterparts in other member states.

Appeals Mechanisms

Mr. Steen: To ask the Chancellor of the Duchy of Lancaster how many appeals mechanisms, as laid out in section 6 of the Deregulation and Contracting Out Act 1994, he expects to establish by the end of 1996; how many staff each appeals system will employ; and what their estimated annual running costs will be. [23614]

Mr. Freeman: As I made clear in my response to my hon. friend the Member for Brentford and Isleworth (Mr. Deva) on 11 March, *Official Report*, columns *464–65*, consultation on a draft statutory instrument setting out provisions for the model appeals mechanism is currently in progress. Copies of the consultation document have been placed in the Library and I have asked for replies by 11 May this year.

Under section 6 of the Deregulation and Contracting Out Act, there will be only one model mechanism. This model will be considered for all appeals against enforcement action in appropriate legislation.

Property Advisers to the Civil Estate

Mr. David Martin: To ask the Chancellor of the Duchy of Lancaster what targets he has set for Property Advisers to the Civil Estate on its creation as an executive agency in his Department. [24354]

Mr. Freeman: PACE has today been established as an executive agency in the Office of Public Service. Its main aims are to enable Departments to achieve best overall value for money in the management of their property assets, by providing advisory and co-ordination services, and to carry out residual functions of disposing of inherited vacant property and collecting opportunity cost rents. I have set performance targets for its first year 1996–97:

(i) to identify savings from proposals to be agreed with Departments for the co-ordination of property activities on the civil estate which in total should exceed the agency's related running costs;

(ii) to recover 100 per cent. of the costs of providing intelligent client services;

(iii) to contain expenditure on vacant properties within an annual net provision of £110 million;

(iv) to recover 100 per cent. of opportunity cost rents due;

(v) to recover 100 per cent. of the costs of the Whitehall district heating system.

I have today placed copies of the agency's framework document in the Library of the House.

Chessington Computer Centre

Mr. Robert G. Hughes: To ask the Chancellor of the Duchy of Lancaster what key targets have been set for the Chessington Computer Centre trading fund for the current financial year. [24353]

Mr. Freeman: My primary objective for Chessington Computer Centre is to implement its privatisation this summer. However, until that is achieved, Chessington will be managed with the following key targets for 1996–97:

(1) to achieve an operating surplus of £223,000;

(2) to increase pay clerk productivity by 7 per cent. over 1995–96 performance;

(3) to increase use of the on-line data capture system (SPIRE) to 60 per cent. for a new major customer;

(4) to maintain the minimum on-line service availability at 98.5 per cent.

Central Computer and Telecommunications Agency

Mr. Patrick Thompson: To ask the Chancellor of the Duchy of Lancaster what progress has been made with the establishment of the Central Computer and Telecommunications Agency as a next steps executive agency. [24355]

Mr. Freeman: I am pleased to announce that I have today established the Central Computer and Telecommunications Agency as a next steps executive agency. The arrangements for CCTA are fully described in its framework document, copies of which will be placed in the Libraries of both Houses.

The purpose of CCTA is to improve the delivery of public services by developing, maintaining and making available, expertise about information technology which public sector organisations will draw on in order to operate more effectively and efficiently.

I have set CCTA the following targets for 1996–97:

to break even on a accruals basis after taking into account payments from the Office of Public Service in relation to transitional costs and the provision of "common good" services, and to operate within PES and supply estimates provision;

to secure and provide procurement services and best practice consultancy to the value of at least £6.2 million on a full cost recovery basis;

to secure and provide telecommunications services to the value of £11.6 million;

to establish, validate and to have approved ready for implementation for 1997–98 quantified performance measures for the financial, quality of service, customer satisfaction and efficiency aspects of the agency's performance.

OVERSEAS DEVELOPMENT ADMINISTRATION

Consultative Group for Kenya

Sir Thomas Arnold: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the Paris meeting of the consultative group for Kenya. [23151]

Mr. Hanley: The consultative group for Kenya met at the invitation of the World bank in Paris on 21 to 22 March. Donors welcomed recent positive developments in Kenya's economic policies and the publication of a new policy framework paper, while underlining the importance of a range of good governance issues. The UK announced the immediate release of £5.1 million of programme aid, to support civil service reforms. A copy of the World bank's press statement has been placed in the House of Commons Library.

St. Helena

Mr. Key: To ask the Secretary of State for Foreign and Commonwealth Affairs when the St. Helena tourism bureau commenced operations; what is its annual budget; and how many *(a)* local and *(b)* non-island staff it employs. [23624]

Mr. Hanley: No tourism bureau exists on St. Helena. A consultancy visit in the near future arranged by the World Tourism Organisation, under United Nations Development Programme auspices, will help advise the St. Helena Government on future arrangements for tourism development.

Mr. Key: To ask the Secretary of State for Foreign and Commonwealth Affairs how many copies of "Investing in St. Helena" were printed on behalf of the St. Helena development agency; at what total production cost; how and where they were distributed; and if he will make a statement. [23801]

Mr. Hanley: Some 1,000 copies of the booklet were produced at a total production cost of £2,891. Copies were sent to UK chambers of commerce; South Africa chambers of commerce; individuals and companies that had previously expressed an interest in investment in St. Helena; and to the UK representative of St. Helena.

LORD CHANCELLOR'S DEPARTMENT

Legal Aid

35. **Mr. Llwyd:** To ask the Parliamentary Secretary, Lord Chancellor's Department what percentage of the people of the British Isles were capable of qualifying for legal aid in 1966; what is the latest corresponding figure; and if he will make a statement. [21927]

Mr. Jonathan Evans: The Department has no estimates of eligibility for 1966. The Department's estimate of the proportion of households in England and Wales currently eligible for civil legal aid is 48 per cent.

37. **Mr. John Marshall:** To ask the Parliamentary Secretary, Lord Chancellor's Department what recent representations he has received about legal aid in civil cases. [21929]

Mr. Evans: I have received many representations recently on legal aid in civil cases.

40. **Mr. William O'Brien:** To ask the Parliamentary Secretary, Lord Chancellor's Department how many applications for legal aid over £10,000 have been awarded by the Legal Aid Board during the past five years; and if he will make a statement. [21932]

Mr. Evans: Information prior to 1993–94 is not readily available and could be obtained only at disproportionate cost. The number of civil legal aid certificates where the Legal Aid Board paid gross costs in excess of £10,000 for the following years was as follows:

1993–94: 5,437

1994–95: 7,346.

In addition, the Legal Aid Board paid gross costs of over £10,000 for criminal legal aid in the magistrates courts as follows.

1993–94: 356

1994–95: 389.

The Legal Aid Board is not responsible for payment of legal aid bills for work done in the higher criminal courts. Those bills are paid directly by the Lord Chancellor's Department and it is estimated that in 1993—94 and 1994–95, the Department paid gross costs of over £10,000 for criminal legal aid in the higher courts as follows:

1993–94: 3,125

1994–95: 3,500.

Mr. Harry Greenway: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on the operations of the Legal Aid Board. [21935]

Mr. Evans: The day-to-day operations of the Legal Aid Board are a matter for its chief executive. The board's annual report, which sets out its performance, is available in the House Library.

Dr. Spink: To ask the Parliamentary Secretary, Lord Chancellor's Department what was the *(a)* gross cost and *(b)* net cost of the legal aid fund in (i) 1979, (ii) 1989 and (iii) the last year for which figures are available. [23161]

Mr. Evans: The gross and net costs of the legal aid fund in 1979–80, 1989–90 and 1994–95, being the latest year for which figures are available are:

£ million

	Gross cost	*Net cost*
1979–80	124	98
1989–90	716	565
1994–95	1,598	1,299

Judicial Vacancies

36. **Mr. Jim Cunningham:** To ask the Parliamentary Secretary, Lord Chancellor's Department what proportion of judicial vacancies were advertised in 1995. [21928]

Mr. Jonathan Evans: Over half the appointments to the full-time professional judiciary in 1995 were made following either advertisement or notice to eligible candidates where eligibility is restricted. The equivalent figure for the part-time professional judiciary was about 20 per cent.

Magistrates Courts

38. **Mr. Viggers:** To ask the Parliamentary Secretary, Lord Chancellor's Department what recent representations he has received on the working of the magistrates courts. [21930]

Mr. Jonathan Evans: I receive frequent representations on the working of the magistrates courts.

Public Interest Immunity Certificates

39. **Mr. Cohen:** To ask the Parliamentary Secretary, Lord Chancellor's Department what advice he has given to judges in respect of dealing with cases in which a public interest immunity certificate relating to the suppression of evidence has been issued. [21931]

Mr. Jonathan Evans: None. Decisions on such claims are matters solely for the courts.

Family Law Bill

41. **Sir Michael Neubert:** To ask the Parliamentary Secretary, Lord Chancellor's Department what have been the principal issues which were raised in representations to him about the Family Law Bill during March. [21933]

Mr. Jonathan Evans: I received representations on the Family Law Bill on a number of issues during March. The principal issues were: reconciliation and support for marriage, the use of allegations of fault, the professional competence of mediators, the influence of conduct on financial settlements and the timing of finance and property orders.

Advice and Representations to HM the Queen

42. **Mr. Mackinlay:** To ask the Parliamentary Secretary, Lord Chancellor's Department what are his responsibilities in respect of *(a)* giving advice and *(b)* making representations to Her Majesty the Queen in her private capacity. [21934]

Mr. Jonathan Evans: I refer the hon. Member to the answer I gave him on 4 March 1996, *Official Report*, column *73*.

Community Care Policy

Mr. Milburn: To ask the Parliamentary Secretary, Lord Chancellor's Department what information his Department collates on judicial reviews of community care policy. [24155]

Mr. Jonathan Evans: The question concerns a specific operational matter on which the chief executive of the Court Service is best placed to provide an answer and I have accordingly asked the chief executive to reply direct.

Letter from M. D. Huebner to Mr. Alan Milburn, dated 1 April 1996:

The Parliamentary Secretary to the Lord Chancellor's Department has asked me to reply to the above question about judicial reviews of community care policy.

Statistics on judicial review relate only to the total number of cases. No separate information is collated on judicial review of community care policy.

EDUCATION AND EMPLOYMENT

Sickness Rates

Mr. Thurnham: To ask the Secretary of State for Education and Employment what assessment she has made of regional variations in sickness rates *(a)* in the civil service, *(b)* elsewhere in the public sector and *(c)* in other employment. [22377]

Mr. Robin Squire: The following table gives an assessment of regional variations in sickness rates in the civil service. The Department has not made an assessment of sickness rates for elsewhere in the public sector or in other employment.

Sickness Absence in the Civil Service 1994: CS Occupational Health and Safety Agency Report

Average working days absence per staff-year by region.

Region	*Unadjusted*		*Adjusted*	
	1993	*1994*	*1993*	*1994*
North West	11.8	11.2	10.5	10.6
Scotland	11.7	10.1	10.9	10.0
Wales	11.2	10.0	9.4	9.3
North East	11.2	9.7	9.9	8.9
West Midlands	9.4	8.9	8.6	8.5
Northern Ireland	9.2	9.4	8.5	8.4
South East	8.9	8.1	8.7	8.3
Yorkshire and Humberside	9.3	8.3	8.6	8.1
East Midlands	9.2	8.5	8.3	8.0
South West	8.3	7.5	7.9	7.4
East Anglia	8.5	7.6	7.9	7.3
Civil Service average	10.1	8.9	—	—

Having adjusted for the factors affecting sickness absence which have been considered earlier in this Report (age, gender and grade level), there remain substantial differences between regions. The North West has the highest rate of absence of all Regions, followed by Scotland and Wales. East Anglia and the South West were clearly the regions of lowest absence.

Information Technology

Mr. Blunkett: To ask the Secretary of State for Education and Employment how much money has been made available for each year since 1990 for information technology initiatives *(a)* for initial teacher training and *(b)* in schools; and if she will make a statement. [22556]

Mr. Robin Squire: The Department has given a central lead to the development of information technology in schools since the early 1980s. It is not possible to isolate the initial teacher training element.

The main source of the Department's financial support is provided through the grants for education support and training programme. The specific GEST allocations for IT in schools in the five years from 1990–91 to 1994–95 were: £19.8 million, £30.4 million, £30 million, £30 million, and £21.9 million.

In 1995–96 and 1996–97 support for IT in schools continues to be available through the school effectiveness GEST programme. Eligible expenditure, which attracts grant at the rate of 60 per cent., includes IT equipment, upgrades and software, the installation of networking, the cost of teacher training provision and the employment of IT advisory teachers.

Over the period from 1990–91 to 1995–96, the Department has also separately made available funding in excess of £22 million to pilot new technologies; to stimulate software development focused on the needs of the national curriculum; to provide additional funding to equip many schools with multimedia technologies, and to support the development of the effective use of IT in individual curriculum subjects, the primary phase and with children with special educational needs.

In addition, the Department has made an annual grant available, in the region of £5 million per annum, to support the work of the National Council for Educational Technology to help schools use IT effectively for curriculum and administrative purposes.

Community Self-build Schemes

Mr. Chris Smith: To ask the Secretary of State for Education and Employment in what circumstances unemployed benefit recipients who are engaged in community self-build housing schemes from October 1996, will be required to limit their self-build participation to *(a)* 21 hours and *(b)* 16 hours in a week; and if the figures will be the same for (i) those carrying out self-build work on a voluntary basis, (ii) self-builders participating in training and enterprise council-funded training programmes and (iii) those participating in European social fund-funded programmes. [23058]

Mr. Forth: The Jobseeker's Allowance Regulations 1996 make no special provisions for people who participate in self-build housing schemes. To be entitled to JSA all jobseekers must be available for and actively seeking employment, and not in remunerative work for 16 hours or more per week as defined in the JSA regulations. The current approach in income support that those involved in self-build schemes will not usually be treated as engaged in remunerative work will be carried forward into JSA. Each claim from a jobseeker who participates in a self-build scheme will be considered on the individual facts of the case.

Further and Higher Education

Mr. Llwyd: To ask the Secretary of State for Education and Employment what is the number of students in further and higher education in the United Kingdom; and what is the current ratio of school leavers to the number entering higher education. [23249]

Mr. Forth: The numbers of enrolments in further—excluding adult education centres—and higher education in the UK in 1994–95 are provisionally estimated to be 2,573,000 and 1,701,000, respectively.

Information on the numbers of school leavers who entered higher education directly is not readily available. In some cases, progression to HE will be direct from further education or tertiary college, and some students will enter after a year abroad or other sabbatical. The available information on entrants to HE by age is given in the following table:

Age[1]	*Number of entrants*[2] *to HE in UKs in 1994–95 (000)*
18 years and under	154
19 years	87
20 years and over	561
All ages	802

[1] Age at 31 August.
[2] Provisional. Includes Open university.

Deregulation

Mr. Steen: To ask the Secretary of State for Education and Employment, pursuant to the oral answer of the Chancellor of the Duchy of Lancaster to the hon. Member for Colchester, North (Mr. Jenkin) on 26 February, *Official Report*, column 576, if she will list those statutory instruments and Acts of Parliament which have been gold plated in the past five years; and what steps she is taking to amend or repeal each piece of gold plating on existing legislation. [23634]

Mr. Robin Squire: The Government's policy is not to add unnecessary burden when implementing EC directives. Departments take every opportunity to review existing legislation in the light of this. Officials are currently working on revised guidance to enable Ministers to see where implementing legislation goes beyond the underlying EC directive.

Appeals Mechanisms

Mr. Steen: To ask the Secretary of State for Education and Employment how many appeals mechanisms, as laid out in section 6 of the Deregulation and Contracting Out Act 1994, she expects to establish by the end of 1996; how many staff each appeals system will employ; and what their estimated annual running costs will be. [23617]

Mr. Forth: I refer my hon. Friend to the reply given today by my right hon. Friend the Chancellor of the Duchy of Lancaster.

Pupil Exclusions

Mr. Milburn: To ask the Secretary of State for Education and Employment what was the number of temporary exclusions from schools in each year since 1979. [24026]

Mr. Robin Squire: This information is not available centrally.

Mr. Milburn: To ask the Secretary of State for Education and Employment what was the number of permanent school exclusions for each year since 1979. [24024]

Mr. Squire: The Department is this year collecting, for the first time, systematic data on permanent exclusions from all maintained schools, through the annual schools census return issued in January. Comprehensive data on permanent exclusions in the school year 1994–95 will thus be available in the autumn.

Prior to this, information was collected on an ad hoc basis. Data on permanent exclusions from maintained schools in England were assembled by the Department over a two year period, starting with the summer term 1990, under the national exclusions reporting system. Some 2,910 permanent exclusions were reported in the first year and 3,833 in the second.

A survey conducted by Christ Church college, Canterbury on behalf of the Department and published in July last year, showed that there were 10,624 permanent exclusions in the school year 1993–94 in the 101 local education authorities in England which responded to the researchers' questionnaire out of a total of 109 LEAs. It also showed there were 4,550 permanent exclusions in the autumn term 1994 in 101 LEAs.

Mr. Milburn: To ask the Secretary of State for Education and Employment how many children in care of the local authority have been excluded from school in each year since 1979. [24025]

Mr. Squire: This information is not available centrally.

Jobseeker's Allowance

Mr. Rooney: To ask the Secretary of State for Education and Employment what is the current benefit sanction on claimants failing to attend 1-2-1 interviews; and what sanctions will apply under the jobseeker's allowance. [24152]

Mr. Forth: Under current legislation any jobseeker who fails to attend 1-2-1 interviews when required will be disallowed benefit until such time as he does attend. Under jobseeeker's allowance any jobseeker who fails to attend a 1-2-1 interview without good cause will face a fixed period sanction of two weeks' loss of JSA. If he has received an earlier sanction within the previous 12 months, the fixed period may be four weeks' loss of JSA. Depending on the circumstances of the jobseeker, he may be able to receive hardship payments of JSA during the period of sanction.

Mr. Rooney: To ask the Secretary of State for Education and Employment if regulation 9 of the Job Seeker's Allowance Regulations 1996 will allow claimants who satisfy all other availability conditions to restrict their availability for employment during the first six months of a claim. [24156]

Mr. Forth: Jobseekers may place restrictions on the nature of the employment for which they are available, the terms or conditions of employment, including the rate of remuneration, and the locality in which they are looking for employment provided that they can show that they have reasonable prospects of securing employment despite those restrictions. Regulation 9 imposes a six-month limit on any restriction to do with the rate of remuneration. There is no limit to other areas of restriction, although an adjudication officer may take into account the length of time a jobseeker has been unemployed when determining whether a jobseeker continues to retain reasonable propects of securing employment with the restrictions he has imposed.

Mr. Rooney: To ask the Secretary of State for Education and Employment if the new 13-week qualifying period for employment on trial of claimants of JSA will take into account any period of unemployment preceding 7 October 1996. [24154]

Mr. Forth: Yes. Jobseekers can take advantage of employment on trial if they have been unemployed for a continuous period of 13 weeks falling before the start of the job. Jobseekers will not have to have been in receipt of benefit during this period in order to qualify. The reduction in the qualifying period to 13 weeks represents a significant improvement in the provision enabling more people to try out an unfamiliar job without fear of losing benefit later if they decide to give up the job.

Mr. Rooney: To ask the Secretary of State for Education and Employment in what order the jobsearcher's plan and jobseeker's agreement will be completed by claimants of JSA; what additional forms will have to be completed by those entitled to income related JSA and passported benefits; and at what intervals the jobseeker's agreement will be reviewed by Employment Service staff. [24153]

Mr. Forth: New claimants to jobseeker's allowance will be asked to complete a "helping you back to work" form—formerly referred to as the jobsearch plan form—to help them prepare for an interview to agree a jobseeker's agreement. The jobseeker's agreement may be reviewed at each fortnightly attendance and advisory interview, and will be varied as necessary.

Jobseekers who claim income-based JSA and wish to claim housing benefit and council tax benefit will also be required to compete forms NHB1 (HB) and NHBI (CBT), as they are currently required to do, in addition to the JSA claim form. Existing arrangements for claiming benefits from other Departments will be carried forward into JSA.

Mr. Rooney: To ask the Secretary of State for Education and Employment what proposals he has for Employment Service staff to take adjudication decisions on benefit sanctions against claimants of JSA. [24149]

Mr. Forth: All labour market adjudication decisions in JSA, including those where a benefit sanction is appropriate, will be taken by adjudication officers employed by the Employment Service. Adjudication officers act independently of the Secretary of State.

Mr. Rooney: To ask the Secretary of State for Education and Employment at what intervals claimants of JSA will have to attend compulsory advisory interviews; and if the existing pattern of compulsory six-monthly restart interviews will be maintained. [24151]

Mr. Forth: Jobseekers will have to attend advisory interviews when they make a new claim, when they have been unemployed for 13 weeks, or earlier if that has been agreed with the jobseeker, and when they have been unemployed for six months—the existing pattern of six-monthly restart interviews will be maintained.

Jobseekers will also have a short review when they attend the jobcentre every fortnight. If, as a result of those reviews, it is decided that a more in-depth advisory interview is appropriate, one will be arranged. Failure to attend any interview as required may lead to the loss of JSA.

This pattern of interviews will, of course, be reviewed from time to time in the light of changing circumstances.

Mr. Rooney: To ask the Secretary of State for Education and Employment what proposals he has to enable all unemployed people on Government employment and training programmes to count participation in these towards the three-month qualification period for undertaking part-time education as specified in regulation 11 of Jobseeker's Allowance Regulations. [24147]

Mr. Forth: Jobseekers who claim jobseeker's allowance will be able to study part time so long as they remain available for and actively seeking employment.

There will be an additional concession for certain jobseekers, where no aspect of their study will be taken into account when deciding whether they are available for work if they are willing and able to rearrange their course to take a job within the hours that they have agreed in their jobseeker's agreement they will be available for work. Those who have been in receipt of JSA or certain other benefits for broadly three months or more in the last six will qualify for this concession. Such people may also have been participating in Government programmes. Attendance for an appropriate period on a Government employment and training programme aimed primarily at 16 and 17-year-olds will also qualify a jobseeker for this concession.

Part-time Study

Mr. Rooney: To ask the Secretary of State for Education and Employment in which areas and when the new approaches on part-time study arrangements will be piloted; and what particular aspects will be covered. [24148]

Mr. Forth: Once jobseeker's allowance has been established, we shall decide whether to pilot different arrangements for jobseekers who wish to study while claiming JSA.

Humanities Courses

Mr. Walden: To ask the Secretary of State for Education and Employment what is the proportion of males to females on humanities courses in British higher education. [24016]

Mr. Forth: The proportion of all female enrolments on humanities courses in UK higher education in 1994–95 was 52.2 per cent.

Grant-maintained Schools

Mr. Don Foster: To ask the Secretary of State for Education and Employment, pursuant to her answer of 26 March, *Official Report*, column *485*, about grant-maintained schools, what is or will be the cost for each case listed; what is the cost in total; and if she will make a statement. [23903]

Mrs. Gillan: The following amounts of annual maintenance grant paid to grant-maintained schools in 1995–96 have not been recouped from the local education authority named:

	£
Alder Coppice primary school, Dudley	24,005
The Arnewood school, Hampshire	195,687
Bourne Abbey primary school, Lincolnshire	39,412
The Burgate school, Hampshire	117,765
Chellaston school, Derbyshire	150,765
Costessey high school, Norfolk	63,579
The Ellowes Hall school, Dudley	29,512
The Greensward school, Essex	233,206
Greenwood Dale school, Nottinghamshire	82,596
Heanor Gate school, Derbyshire	71,711
Holy Trinity CE primary school, Kent	19,688
Katherine's primary school, Essex	28,449
Merrill college, Debyshire	71,776
Ringwood comprehensive school, Hampshire	141,142
St. Anselm's college and Upton Hall convent school, Wirral (in total)	1,043,581
St. Peter and St. Paul RC high school, Lincolnshire	29,528
Sheringham high school, Norfolk	45,035
Wold Newton primary school, Humberside	20,194
Woodnewton Way infant school, Northamptonshire	40,894

Amounts of non-recoupable annual maintenance grant for 1995–96 have not been finalised in respect of Appleby primary school, Cumbria, and Eaglesfield Paddle CE primary school, Cumbria.

Job Clubs

Mr. Frank Field: To ask the Secretary of State for Education and Employment (1) what are the forecast savings to the Employment Service of closing down the afternoon session of the Liverpool and Wirral executive job club; [24144]

(2) when the Liverpool and Wirral executive job club opened. [24145]

Mr. Forth: Responsibility for the subject of the questions has been delegated to the Employment Service agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from Mike Fogden to Mr. Frank Field, dated 1 April 1996:

The Secretary of State has asked me to reply to your two written questions concerning the forecast saving to the Employment Service (ES) by the closure of the afternoon session of the Liverpool and Wirral Executive Jobclub, and the date the Jobclub opened. I am responding to both questions in this reply.

The ES continually monitors its network of programme providers to ensure the quality of provision, and that this network offers adequate coverage for its clients.

With the continuing fall in eligible clients numbers throughout the Wirral and the region as a whole the ES has to ensure that its providers of services offer value for money.

Forecasts of savings to the ES of the closure of any programme sites are not made. This is in part due to the financial system of payment agreed with the provider at the contracting stage. I can say that the total Jobclub budget allocation for the Wirral ES District for the 1995/96 financial year is £383,102.

Where a decision is made to close a particular programme site, every effort is made to find alternative programme provision, where possible, for the remaining clients.

Wirral Executive Jobclub opened in October 1994 with both morning and afternoon sessions and it is planned to close the afternoon session from the 1 June. However the morning Jobclub session will remain open, thus maintaining an Executive Jobclub within the area.

I hope this is helpful.

Mr. Field: To ask the Secretary of State for Education and Employment (1) what measures her Department is taking to fulfil its obligations to the unemployed as outlined in the jobseeker's charter in the Liverpool and Wirral area; [24143]

(2) if she will make a statement on the minimum number of hours a job club should be open under the jobseeker's charter. [24142]

Mr. Forth: Responsibility for the subject of the questions has been delegated to the Employment Service agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from Mike Fogden to Mr. Frank Field, dated 1 April 1996:

The Secretary of State has asked me to reply to your two written questions concerning the minimum number of hours a Jobclub is required to remain open, and what steps the ES is taking to ensure its obligations are met under the Jobseeker's Charter in the Liverpool and Wirral area.

As both questions relate to the Jobseekers Charter I am responding to both questions in this reply.

The Jobseeker's Charter sets out obligations both of the Employment Service (ES) to deliver services, and of its clients. It informs jobseekers about the standards of service they can expect when visiting or calling ES offices or using its services, the help we provide, and what we expect from our clients. It is a valuable medium to demonstrate to jobseekers and others that we as an organisation are committed to looking at the services we provide, and that we actively seek to improve our standards, where possible. As part of this process, complaints about our services and suggestions for improving them are encouraged and welcomed.

As well as recording suggestions and complaints, the ES currently monitors performance on a quarterly basis against five standards of service set out in its Jobseeker's Charter. These are:

Telephone answering times (within 30 seconds);

Waiting times (Clients to be seen within 10 minutes);

Answering correspondence (replies to written correspondence within 5 working days);

Currency of vacancies (during a sample week);

Speed and accuracy of payments;

There are no separate set of standards for ES programmes or the providers who run them. However, programme providers are obliged to accept the standards set out in the Jobseeker's Charter, and are monitored locally to see that the standards are adhered to and that the achievement of standards are publicised locally.

Jobclubs are normally open for 12 hours per week, although they do not form part of the Jobseeker's Charter standards. However, these hours can be modified according to local circumstances and through the contractual agreement the ES has with the Jobclub provider.

I hope this is helpful.

Teachers' Superannuation Scheme

Mr. Rowe: To ask the Secretary of State for Education and Employment if she will make a statement on the future administration of the teachers' superannuation scheme in England and Wales. [24471]

Mr. Robin Squire: My right hon. Friend the Secretary of State has decided to let a seven-year contract for the administration of teachers' pensions in England and Wales to Capita Managed Services Ltd. This will give savings to the taxpayer of about £20 million over the life of the contract.

We have consistently said that we will let a contract to the private sector only if it can be proved that it will give better value for money than keeping the administration of the teachers' superannuation scheme in the public sector. Capita Managed Services is committed to providing the high standards of service and performance that we have demanded, and has a record of doing so in other contracts. Capita will take over the administration of teachers' pensions on 1 October 1996.

Capita has declared its intention to maintain the administration of the TSS in Darlington. It is committed to a business growth strategy on the Darlington site. This commitment to Darlington, together with the transfer of the staff of the Teachers' Pensions Agency under the Transfer of Undertakings (Protection of Employment) Regulations 1981 offers the staff of the agency good prospects for the future.

The contract with Capita will concern only the administration of the TSS. The scheme itself will stay in the public sector, on its current statutory basis, and teachers' pensions will not be affected in any way. My right hon. Friend will remain responsible to Parliament for the scheme. Officials in the Department for Education and Employment will be responsible for advising Ministers on policy on teachers' pensions.

Research

Ms Rachel Squire: To ask the Secretary of State for Education and Employment what additional support has been given to research within higher education institutions in the areas of sensor, data fusion and data processing technology since the 1995 report from the technology foresight panel. [23692]

Mr. Forth: Higher Education Funding Council for England funding for research is not earmarked but distributed as part of block grant which higher education institutions allocate at their discretion. It is for institutions themselves to decide what additional support to give to research in sensor, data fusion and data processing technology in the light of technology foresight findings.

TRANSPORT

New Roads

Mr. Gordon Prentice: To ask the Secretary of State for Transport how many miles of new road are planned to be constructed using the design, build, finance and operate initiative under contracts *(a)* already let, *(b)* due to be let in 1996 and *(c)* forecast to be let by 2000. [19687]

Mr. Watts: I have asked the chief executive of the Highways Agency to write to the hon. Member.

Letter from Lawrie Haynes to Mr. Gordon Prentice, dated 1 April 1996:

I have been asked by the Secretary of State for Transport to reply to your recent Parliamentary Question about how many miles of new road are planned to be constructed under the design, build, finance and operate initiative under contracts (a) already let, (b) due to be let in 1996 and (c) forecast to be let by 2000.

Forty nine miles have already been let, thirty five miles are due to be let in 1996 and; the forecast for the year 2000 is sixty six miles.

United Kingdom Fleet (British Ratings)

Mr. Clifford Forsythe: To ask the Secretary of State for Transport what financial aid has been given to the United Kingdom fleet to encourage the employment of British ratings. [21748]

Mr. Norris: Government assistance for training—GAFT—is paid in respect both of ratings and cadets under 18 on approved training courses. GAFT's total budget, including youth training funding, is £3.4 million a year.

The crew relief costs scheme makes grants towards the cost of flying British seafarers to and from distant ports. The scheme, which applies equally to British ratings and officers, has a budget of £2 million a year.

More generally, Government policies are designed to improve the competitive position of British shipping, providing career opportunities for British ratings and officers.

Rail Safety

Ms Short: To ask the Secretary of State for Transport what procedures exist for staff of contractors to Railtrack to be designated as safety critical, as defined by the Hidden recommendations. [23117]

Mr. Watts: Sir Anthony Hidden QC, in his report on the investigation of the Clapham junction collision, made no recommendation defining safety critical staff.

The Railways (Safety Critical Work) Regulations 1994 place duties on employers relating to "safety critical work", which is defined as certain work which could affect the health and safety of persons on a transport system.

Ms Short: To ask the Secretary of State for Transport on what basis compensation is paid to train operators for delays in safety certification of locomotives and rolling stock. [23115]

Mr. Watts: It is for the train operating companies to demonstrate to Railtrack that they are in compliance with railway group standards. Compensation is not an issue.

Ms Short: To ask the Secretary of State for Transport (1) what steps Railtrack and the Health and Safety Executive are taking to ensure that infrastructure maintenance staff are not working on a series of contracts concurrently for different infrastructure owners for which the aggregate time worked exceeds the maximum number of permitted hours or days as stipulated by Sir Anthony Hidden QC in his report and inquiry into the Clapham rail disaster; [23121]

(2) what procedures exist to ensure that contractors of Railtrack comply with the Hidden recommendations on maximum working hours for safety critical staff; [23120]

Mr. Watts: Sir Anthony Hidden QC, in his report on the investigation of the Clapham junction collision, made no recommendations as to the maximum number of permitted hours or days to be worked by infrastructure maintenance staff.

In the Railways (Safety Critical Work) Regulations 1994, a duty is placed upon employers to ensure so far as is reasonably practicable that no employee undertakes safety critical work for such number of hours as would be liable to cause fatigue which could endanger safety. This duty applies to the employer irrespective of the location of the work undertaken. Railtrack's railway safety case states that particular attention will be given to monitoring the safety performance of contractors including compliance with relevant standards of legislation.

The Health and Safety Executive's railway inspectorate enforces the regulations by checking employer's safety management systems and records, in the course of certain inspections and accident investigations, and by investigating complaints of excessive hours by employees.

Ms Short: To ask the Secretary of State for Transport what targets he has set Railtrack for giving safety approval to train operators; and what sanctions are available in the event of unreasonable delay. [23116]

Mr. Watts: No targets have been set for Railtrack.

As regards railway safety gases, a train operator may submit a safety case, or revision, for acceptance to the Secretary of State if Railtrack either refuses to accept it or fails to accept it within a reasonable time.

As regards safety cases for rolling stock, defined procedures exist for new or revised railway group standards. Where proposals have been rejected, appeals can be made to the Rail Regulator, who will consult the Health and Safety Executive in reaching his decision.

Under Railtrack's network licence, the primary safety purpose of the railway group standards code is subject to the need to promote business planning, efficiency, economy and competition, and the need to impose the minimum restrictions which are consistent with safe operation.

Travelcards

Mr. Spearing: To ask the Secretary of State for Transport if he will take action to ensure that the agreement reached by the London Committee on Accessible Transport, representing London boroughs and the relevant transport providers, for a seven-year contract for providing senior citizens travelcards in Greater London is approved by the British Railways Board. [23406]

Mr. Norris: This is a matter for the British Railways Board. The board has decided that it would be inappropriate for the board to commit, as yet unknown, private sector franchise operators to a seven-year concessionary fares scheme in London. A 12-month agreement, as suggested by the board, will ensure the continuation of this popular concessionary scheme on the same terms as before and allow franchise operators to take part in discussions about the arrangements for a long-term scheme.

Four-wheel Drive Vehicles

Mr. Redmond: To ask the Secretary of State for Transport if he will introduce legislation banning the use of four-wheel drive vehicles on green roads; and if he will make a statement. [23542]

Mr. Steven Norris: The Government announced in the rural White Paper, Cm 3016, that, while they were not yet convinced of the case for general legislation to restrict the use of byways by motorised vehicles, they would discuss the situation with interested parties. I hope to issue a consultation document, jointly with the Department of the Environment, in late spring or early summer.

Hydrographic Surveys (Welsh Estuaries)

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Transport what steps he is taking to ensure that sand banks or barriers in the estuaries of Wales are recharted following the grounding of the Sea Empress. [23802]

Mr. Norris: My Department keeps the need for hydrographic surveys under review through the Marine Safety Agency's advisory committee on shipping hydrography, which comprises representatives of the shipping industry, the General Lighthouse Authorities, the port associations, and professional hydrographers from the Royal Navy. We will consider the need for any surveys or recharting off the coast of Wales if the marine accidents investigation branch investigation into the Sea Empress recommends that we should do so.

Hop-on Hop-off Buses

Mr. Steen: To ask the Secretary of State for Transport when he expects a fiche d'impact on the EC bus and coach directive to be produced; and what other EU countries have hop-on hop-off buses in commission in their capital cities. [23604]

Mr. Norris: We are currently awaiting a proposal for the EC bus and coach directive, along with the fiche d'impact from the Commission, but the timing of this is not known.

We are not aware of any other EU countries which operate open platform buses in their capital cities.

Mr. Steen: To ask the Secretary of State for Transport how many *(a)* deaths, *(b)* serious injuries and *(c)* minor injuries have resulted from passengers falling from open-platform double-decker buses in each of the last 10 years; how many complaints he has received in the last 10 years of the dangers of hop-on hop-off buses; and if he will make a statement. [23606]

Mr. Norris: The data available from the Department's Vehicle Inspectorate indicate that the number of fatalities arising from people falling from open platform double-decker buses for each of the 10 years from 1985 to 1994 were 2, 1, 1, 2, 0, 1, 0, 0, 1, 1 respectively. Information collated by London Transport for 1995 is one fatality, 17 serious and 382 slight injuries. Corresponding information on serious and slight injuries for previous years is not available.

The Department receives representations on a variety of bus issues but the dangers of open platform buses have not featured highly in these.

Driving Licences

Mr. Steen: To ask the Secretary of State for Transport how many EU member states have invoked grandfather rights when implementing the second EC directive on driving licences 91/439/EEC; and if he will make a statement on his reasons for not doing so. [23699]

Mr. Norris: According to our current information, no member states have perpetuated or are proposing to perpetuate, "grandfather rights" in respect of eyesight requirements for lorry and bus drivers, but we are seeking detailed updated information from the relevant national authorities. The reason for proposing to discontinue grandfather rights is the need to ensure the highest sensible standards of road safety in the United Kingdom.

M1-A1

Mr. Fatchett: To ask the Secretary of State for Transport when he expects to award the design, build, finance and operate scheme for the M1-A1 link; and if he will make a statement. [23607]

Mr. Watts: The design, build, finance and operate—DBFO—contract for the M1-A1 Yorkshire link project was awarded to Yorkshire Link Ltd. on 26 March 1996.

This is the largest and most complex DBFO the Department has awarded to date. This new motorway will take away from congested routes through Leeds and will improve access to industrial areas in the south-east of the city. Moreover, there is expected to be major reduction in road traffic accidents—more than 150 accidents a year should be prevented over the next 30 years.

The Department is making excellent progress with DBFO, with contracts now awarded for each of the first four DBFO projects first announced back in August 1994. This success shows the DBFO offers advantages to the construction industry, the road user and the taxpayer.

Deregulation

Mr. Steen: To ask the Secretary of State for Transport, pursuant to the oral answer of the Chancellor of the Duchy of Lancaster to the hon. Member for Colchester, North (Mr. Jenkin) on 26 February, *Official Report*, column 576, if he will list those statutory instruments and Acts of Parliament which have been gold plated in the past five years; and what steps he is taking to amend or repeal each piece of gold plating on existing legislation. [23632]

Mr. Watts: The Government's policy is not to add unnecessary burdens when implementing EC directives. Departments take every opportunity to review existing legislation in the light of this. Officials are currently working on revised guidance to enable Ministers to see where implementing legislation goes beyond the underlying EC directive.

Appeals Mechanisms

Mr. Steen: To ask the Secretary of State for Transport how many appeals mechanisms, as laid out in section 6 of the Deregulation and Contracting Out Act 1994, he expects to establish by the end of 1996; how many staff each appeals system will employ; and what their estimated annual running costs will be. [23620]

Mr. Watts: I refer my hon. Friend to the answer given today by my right hon. Friend the Chancellor of the Duchy of Lancaster.

SCOTLAND

Public Bodies

Mrs. Ray Michie: To ask the Secretary of State for Scotland if he will list each executive non-departmental public body which will become operational in Scotland on 1 April; and if he will make a statement. [23795]

Mr. Kynoch: The information is as follows:

Scottish Children's Reporter Administration

Scottish Environment Protection Agency

Scottish Water and Sewerage Customers Council.

The Scottish Environment Protection Agency replaced the seven existing river purification boards, each of which is an executive NDPB. As from today, 1 April, the number of executive NDPBs operational in Scotland is 40, as compared with 60 in 1979.

Mr. McAllion: To ask the Secretary of State for Scotland if he will list for each of the non-departmental bodies for which he is responsible *(a)* the number of board members, *(b)* the number of allowances being paid, *(c)* the total cost of these allowances, *(d)* the cost per board member and *(e)* the numbers of administrative and executive staff earning in excess of £42,000. [23974]

Mr. Kynoch: The information requested in *(a)* to *(d)* is available in, or can be derived from, the Scottish Office section for the annual Cabinet Office publication "Public Bodies". The information at *(e)* is not held centrally.

Dr. Wright: To ask the Secretary of State for Scotland if he will list those of his Department's advisory non-departmental public bodies which *(a)* the Government are required to consult prior to legislative proposals and *(b)* the Government are required to publish their response to advice supplied by them. [21863]

Mr. Kynoch *[holding answer 21 March 1996]:* The information requested is:

(a) Scottish Central Fire Brigades Advisory Council

Building Standards Advisory Committee

Police Advisory Board for Scotland

General Teaching Council for Scotland.

(b) General Teaching Council for Scotland.

Appeals Mechanisms

Mr. Steen: To ask the Secretary of State for Scotland how many appeals mechanisms, as laid out in section 6 of the Deregulation and Contracting Out Act 1994, he expects to establish by the end of 1996; how many staff each appeals system will employ; and what their estimated annual running costs will be. [23622]

Mr. Kynoch: I refer the hon. Gentleman to the answer given today by my right hon. Friend the Chancellor of the Duchy of Lancaster.

DEFENCE

Ministry of Defence Police

Mr. Alexander: To ask the Secretary of State for Defence if he will make a statement about defence agency status for the Ministry of Defence police. [24413]

Mr. Soames: The Ministry of Defence police is to be established as an agency of the Ministry of Defence on 1 April 1996.

The MDP is a fully constituted police force acting under the Ministry of Defence Police Act 1987. The headquarters and police and guard service training schools are at Wethersfield in the county of Essex. Detachments are employed throughout the United Kingdom, based primarily at Ministry of Defence establishments.

The MDP provides a civil policing service where required throughout the Ministry of Defence. It also provides a security service, including armed guarding at important defence installations. Its activities cover the protection of life, prevention of crime, detection of offenders, and the maintenance of order on, or in connection with, defence property and personnel. In its policing role it operates entirely independently of political or departmental influence in the maintenance and operation of the law.

As the first chief executive, the chief constable, Mr. W. E. E. Boreham OBE, will be offered new opportunities to build on the current organisation's professional expertise and high performance standards. Through the greater delegations and authority afforded by agency status, the chief constable will actively seek to improve the efficiency and value for money of his police force.

The chief constable has been set the following key targets for the first year of operation:

(1) By 1 April 1997 to have identified and implemented agreed performance measures of force activity.

(2) To improve significantly upon the baseline achieved in the first customer satisfaction survey.

(3) By 1 October 1996 to make proposals for funding arrangements for national, additional, or cross top-level budget boundary commitments.

(4) By 1 July 1996 to complete the evaluation of the effectiveness of the new force structure introduced from 1 April 1995.

(5) To achieve efficiency savings prescribed within the departmental management and efficiency plans.

(6) To develop efficiency measurement systems in order to provide a coherent efficiency plan incorporating a detailed competing for quality programme and be innovative in the identification of opportunities afforded by co-operation with industry.

Milestones:

(a) To set up agreed mechanisms for medium to long-term manpower planning.

(b) To implement the information systems strategy to time, quality and specification.

The owner of the Ministry of Defence Police agency will be the second permanent under-secretary of state at the Ministry of Defence.

The chief constable will produce an annual report which, for financial year 1997–98, will contain accruals-based accounts. These will be presented to Parliament. I have also arranged for copies of the agency's framework document to be placed in the Library of the House.

Trident

Dr. David Clark: To ask the Secretary of State for Defence how much money to date has been committed by his Department to the purchase of Trident D5 missiles from the United States of America. [23609]

Mr. Arbuthnot: My Department has, to date, committed £853 million, at outturn prices, toward the purchase of Trident D5 missiles from the United States of America.

Dr. Clark: To ask the Secretary of State for Defence what are the in-service dates of the Trident submarines. [23610]

Mr. Arbuthnot: HMS Vanguard entered service in December 1994 and HMS Victorious in December 1995. Vigilant will enter service in 1998 and Vengeance around the turn of the century.

Government Contracts (Review Report)

Mr. Dover: To ask the Secretary of State for Defence if he will make a statement on the report by the review board for Government contracts on its 1996 general review of the profit formula for non-competitive Government contracts. [24470]

Mr. Arbuthnot: The Government have accepted the overall target rate of return on capital employed as recommended by the review board in its report. The new rate will be 19.3 per cent. compared with the current rate of 18.5 per cent., both on the basis of historic costs. It will be effective from 1 April this year. The report has been printed and copies have been placed in the Library of the House.

Unoccupied Dwellings

Mr. Jamieson: To ask the Secretary of State for Defence (1) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in Hertfordshire; [23900]

(2) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in Surrey; [23899]

(3) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in East Sussex; [23897]

(4) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in Greater London; [23893]

(5) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in the Isle of Man; [23901]

(6) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in Gwent; [23860]

(7) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in Powys; [23865]

(8) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in Gwynedd; [23869]

(9) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in Durham; [23873]

(10) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in Merseyside; [23877]

(11) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in Staffordshire; [23881]

(12) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in Norfolk; [23885]

(13) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in Gloucestershire; [23889]

(14) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in Dorset; [23895]

(15) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in Central Scotland; [23852]

(16) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in the Highlands; [23854]

(17) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in Fife; [23856]

(18) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in Galloway; [23858]

(19) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in Buckinghamshire; [23891]

(20) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in Mid Glamorgan; [23863]

(21) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in Clywd; [23867]

(22) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in Tyne and Wear; [23871]

(23) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in Lancashire; [23875]

(24) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in Nottinghamshire; [23879]

(25) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in Leicestershire; [23883]

(26) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in Northamptonshire; [23887]

(27) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in West Sussex; [23898]

(28) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in Somerset; [23894]

(29) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in Hereford and Worcester; [23902]

(30) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in the Borders; [23859]

(31) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in South Glamorgan; [23861]

(32) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in Dyfed; [23866]

(33) how many dwellings are *(a)* owned by his department and *(b)* currently unoccupied in each parliamentary constituency in Northumberland; [23870]

(34) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in North Yorkshire; [23874]

(35) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in South Yorkshire; [23878]

(36) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in Shropshire; [23882]

(37) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in Suffolk; [23886]

(38) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in Warwickshire; [23890]

(39) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in Wiltshire; [23896]

(40) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in Strathclyde; [23851]

(41) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in Tayside; [23853]

(42) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in Grampian; [23855]

(43) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in Lothian; [23857]

(44) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in Oxfordshire; [23888]

(45) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in Berkshire; [23892]

(46) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in West Glamorgan; [23864]

(47) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in West Yorkshire; [23868]

(48) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in Cumbria; [23872]

(49) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in Humberside; [23876]

(50) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in Lincolnshire; [23880]

(51) how many dwellings are *(a)* owned by his Department and *(b)* currently unoccupied in each parliamentary constituency in the West Midlands. [23884]

Mr. Soames: The information is not held in the form requested and could be provided only at disproportionate cost.

Pembroke Dock (Staff)

Mr. Ainger: To ask the Secretary of State for Defence (1) how many of the posts transferred to Pembroke Dock are currently filled by staff living in the *(a)* Devonport and *(b)* Clyde areas; [23597]

(2) how many posts will be *(a)* transferred to Pembroke Dock, *(b)* transferred to Pembroke Dock, *(b)* transferred from Pembroke Dock and *(c)* made redundant at Pembroke Dock following his announcement on the market testing of ports and mooring work within his Department; and if he will list the Departments in which they will be employed; [23599]

(3) how many individuals are currently based at Pembroke Dock onshore or aboard vessels; and what grades they are and on which divisions of his Department they were employed prior to the announcement of the outcome of market testing in his Department; [23596]

(4) how many mobile grades will be transferred to Pembroke Dock following his announcement on the market testing of the mooring and ports divisions of his Department. [23598]

Mr. Soames *[holding answer 29 March 1996]:* The current bearing for Pembroke Dock is 73 posts, broken down as follows:

Ports undertaking

	Number
MSO 2 D	1
MSO 2 E	1
MSO 3 D	1
MSO 3 E	1

Ports undertaking

	Number
Bosun in charge	1
Mechanician in charge	2
Leading seaman	1
Chief catering rating	1
Able seaman (cook)	2
Engineroom rating	4
Able seaman	6
Total	21

MSO = Marine services officer
SOG = Stores officer grade
P and GS = Process and general supervisory.

Moorings work

	Number
MSO 1 E	1
MSO 2 E	1
MSO 3 D	1
MSO 3 E	1
SOGC	1
Executive officer	2
P and GSD	1
Administrative officer	2
Administrative assistant	2
Fitter (L)	2
Fitter (M)	2
Rigger	2
Shipwright	4
Welder	2
Crane driver (Bd14)	2
Storekeeper	3
Mobile crane driver	1
Rigger trainee (Bd10)	1
Shotblaster	1
HGV driver	1
Stores assistant (Bd6)	2
Forklift truck driver	1
Rigger trainee	1
Craft auxiliary A	7
Slinger	2
Burner	1
General hand (Bd2)	5
Total	52

MSO = Marine services officer
SOG = Stores officer grade
P and GS = Process and general supervisory.

The 21 posts in the ports undertaking will transfer to Devonport. Of the 52 posts on moorings work, 17 will become surplus to requirements.

It is estimated that nine posts will be created at Pembroke Dock to undertake new tasks associated with the moorings operation. These posts will be eligible to be filled by mobile grade staff from Pembroke Dock, Clyde, Devonport, Portsmouth and Bath who have the requisite skills. An additional seven specialist posts may transfer to Pembroke Dock subject to further consideration.

At present there are 90 afloat posts, as detailed in the following table, for the large mooring vessels currently operating out of Devonport and Clyde. The future requirement is estimated as in the region of 48 posts. These vessels will be administered from Pembroke Dock, as will a number of smaller vessels stationed at Devonport and Portsmouth.

	Number
MSO 2 D	3
MSO 2 E	4
MSO 3 D	9
MSO 3 E	9
Bosun	4
Chief catering rating	4
Radio operator	2
Leading seaman	3
Leading engineroom rating	12
Able seaman (Sp)	9
Engineroom rating	2
Able seaman	29
Total	90

Departmental Staff (Ethnic Minorities)

Dr. David Clark: To ask the Secretary of State for Defence if he will make a statement on his Department's failure in 1994–95 to achieve its target for staff who are from ethnic minorities; and for what reasons this target has been reduced for 1995–96. [23264]

Mr. Arbuthnot *[holding answer 28 March 1996]:* The Department's 1994–95 target for civilian staff from ethnic minority backgrounds was set at 1.9 per cent. A percentage of 1.6 per cent. was achieved and our 1995–96 target is to maintain this level. The target of 1.9 per cent. was set against high levels of recruitment in the early 1990s. Given lower levels of recruitment, reductions in staff numbers and relocations from London, maintenance of existing levels of ethnic minority representation is a more realistic expectation.

Nuclear, Biological and Chemical Defences

Dr. David Clark: To ask the Secretary of State for Defence what improvements he has made to Britain's nuclear, biological and chemical defences in the last five years. [23258]

Mr. Soames *[holding answer 28 March 1996]:* We have made a range of improvements to our nuclear biological and chemical defence in recent years, mainly as a result of lessons learnt during the Gulf war. These include: the development of a tri-service policy for our NBCD requirements in the post-cold war environment; an extensive research and equipment programme; and revised training programmes. A Territorial Army NBCD regiment is being formed which will combine new equipment and training and dedicated manpower in a single deployable unit.

Women Executives

Dr. David Clark: To ask the Secretary of State for Defence if he will make a statement on the reasons for his Department's failure in 1994–95 to achieve its target of total staff who are women at higher executive officer level; for what reasons the target has been reduced; and if he will make a statement. [23262]

Mr. Arbuthnot *[holding answer 28 March 1996]:* The Department's 1994–95 target for women at HEO level and above was set at 13.6 per cent. A percentage of 13.3 per cent. was achieved, matching the achievement in 1993–94. In retrospect, the target for 1994–95 was too optimistic, given the extent of organisational change at the time. More realistic target setting, taking better account of major reorganisations and redeployments, overall reductions in staff numbers and promotion trends, caused the target to be set at 13.4 per cent for 1995–96.

HEALTH

Yorkshire Regional Health Authority

Mr. Barron: To ask the Secretary of State for Health what steps he will now take to recover irregular payments in the cases detailed by the inquiry into the former Yorkshire regional health authority. [22737]

Mr. Malone: The successor authority is taking appropriate recovery action in the light of legal advice.

Mr. Fatchett: To ask the Secretary of State for Health if he will set out the advice which he has given to the Northern and Yorkshire regional health authority about ensuring that the authority receives a fair share of any development gain in the sale of the former Yorkshire regional health authority headquarters at Harrogate; and if he will make a statement. [23608]

Mr. Malone: The sale of the headquarters of the former Yorkshire regional health authority was an integral part of the process of securing more appropriate and cost-effective accommodation for the NHS executive Northern and Yorkshire regional office. This will result in significant savings for reinvestment in patient care in the region.

The offer to purchase the former headquarters building was made at a fixed price, in excess of the district valuer's valuation of the property. While there is no prospect of increasing receipts beyond this point, any alternative arrangements would have incorporated a lower guaranteed minimum sale price, and hence a risk of realising less than the present arrangement. Expert advice, based on the office market in Harrogate and the property itself, has confirmed that the authority obtained best value for money at lower risk through the fixed price arrangement.

NHS Authorities (Payments)

Mr. Barron: To ask the Secretary of State for Health what information he has *(a)* commissioned and *(b)* evaluated on irregular, unauthorised and illegal payments to health service bodies. [22746]

Mr. Malone: My right hon. Friend the Secretary of State for Health has received no reports of health service bodies receiving such payments.

NHS Consultants

Mr. Spellar: To ask the Secretary of State for Health what guidelines are given to NHS trusts regarding the employment of management consultants for the training of their staff. [22540]

Mr. Horam: No guidelines relate specifically to the use of management consultants for training. However, in October 1994, the national health service executive issued guidance to the NHS on the use of consultants for all purposes; this includes those employed for all purposes;

this includes those employed for training purposes. A copy of the guidance, "The Procurement and Management of Consultants within the NHS", is available in the Library.

Comptroller and Auditor General Report

Mr. Bayley: To ask the Secretary of State for Health if he will break down the figure of £41.8 million in paragraph 40 of the report of the Comptroller and Auditor General in the "NHS (England) Summarised Accounts 1994–95" to show the amount of money paid in each financial year between April 1990 and March 1995 by each family health services association to fund the employment of staff of types covered by the High Court judgment of March 1995, mentioned in paragraph 39 of the Comptroller and Auditor General's report "NHS (England) Summarised Accounts 1994–95." [22990]

Mr. Malone: The information will be placed in the Library.

Anti-smoking Publications

Mr. Simon Hughes: To ask the Secretary of State for Health (1) how many Government-funded publications produced by *(a)* the Health Education Authority and *(b)* other bodies, that warn of the dangers of smoking or that encourage smokers to quit, have been translated into other languages; [23236]

(2) if he will list each anti-smoking publication publicly funded in the last five years with *(a)* its circulation, *(b)* its principal messages, *(c)* its target audience and *(d)* the languages it has been translated into and how many copies made per language. [23166]

Mr. Horam: The available information will be placed in the Library.

Organophosphate Information Network

Mr. Llwyd: To ask the Secretary of State for Health what recent discussions his Department has had with the organophosphate information network; and if he will make a statement. [23176]

Mr. Horam: There have been no recent approaches to the Department from the network.

Creutzfeldt-Jakob Disease

Mr. Hinchliffe: To ask the Secretary of State for Health when he was first advised of a possible new strain of Creutzfeldt-Jakob disease; and if he was informed of any change in the assessment of health risks associated with bovine spongiform encephalopathy in cattle, arising out of this discovery. [23171]

Mr. Horam: My right hon. Friend was informed of a previously unrecognised form of Creutzfeldt-Jakob disease on 8 March 1996. The Spongiform Encephalopathy Advisory Committee advised him on 20 March that, if the existing and newly recommended control measures were carried out, the risk to humans from eating beef was now likely to be extremely small.

Mr. Hinchliffe: To ask the Secretary of State for Health how many confirmed cases of Creutzfeldt-Jakob disease have been notified for people aged *(a)* under 20 years, *(b)* 20 to 30 years, *(c)* 31 to 40 years, *(d)* 41 to 50 years, *(e)* 51 to 60 years and *(f)* 60 years and over; and how many were (i) male and (ii) female in each year for which records are available. [23218]

Mr. Horam: Information showing the number of definite and probable cases of CJD by the age groups requested and by sex for the period 1970 to 1984—England and Wales—and 1985 to March 1996—United Kingdom—will be placed in the Library.

Mr. Hinchliffe: To ask the Secretary of State for Health (1) which organisations will receive funding for the proposed additional research into CJD; and if he will make a statement; [24021]

(2) if future CJD research funded out of the NHS research budget will include transmission studies; and if he will make a statement. [24022]

Mr. Horam: As announced by my right hon. Friend to the House on 25 March, *Official Report*, columns *710–12*, we have in preparation a directed programme of research in the BSE-CJD sector involving the Department of Health, the Ministry of Agriculture, Fisheries and Food, the Medical Research Council and the Biotechnology and Biological Sciences Council. The programme will include strain typing and transmission studies. Further details, including the organisations involved, will be announced as soon as possible.

Mr. Frank Cook: To ask the Secretary of State for Health if he will investigate the possibility of CJD carriers passing on the disease as blood donors; and if he will make a statement. [24092]

Mr. Horam: The safety of blood is kept under regular review by the expert Advisory Committee on the Microbiological Safety of Blood and Tissues for Transplantation. There is no evidence of any risk of transmission of CJD through blood or blood products. However, as a precautionary measure, individuals with central nervous system diseases or risk factors for CJD, including a family history, are excluded from giving blood.

Mr. Hinchliffe: To ask the Secretary of State for Health how much money his Department spent on research into CJD in each of the last five financial years. [24023]

Mr. Horam: The information requested is as follows:

1991–92: £181,000
1992–93: £148,000
1993–94: £225,000
1994–95: £387,000
1995–96: £502,000.

This includes the costs of the national Creutzfeldt-Jakob disease surveillance unit in Edinburgh.

Total Government spending on bovine spongiform encephalopathy and CJD research is about £9 million this year, and, as my right hon. Friend announced on 20 March, *Official Report*, columns 375-86, the Department is making an additional £4.5 million available for further research.

NHS Patients

Mr. Bayley: To ask the Secretary of State for Health how many patients were admitted in the past year to NHS *(a)* intensive care and *(b)* other beds from independent sector (i) acute hospitals or clinics and (ii) long-stay hospitals or homes. [23298]

Mr. Horam: The information which is available centrally is the estimated number of admissions to NHS hospitals in England from non-NHS hospitals, nursing homes, health care or residential institutions. In 1993–94, the latest year for which data are available, there were estimated to be 28,940 such admissions.

Organophosphate Poisoning

Mr. Llwyd: To ask the Secretary of State for Health what steps are being taken by his Department to educate doctors about organophosphate poisoning; and if he will make a statement. [23177]

Mr. Horam: Medical education is principally a matter for the medical profession. However, the Department is drawing the attention of the profession to the concerns over training of doctors in the recognition of organophosphate poisoning.

The Department has published a book, "Pesticide Poisoning Notes for the Guidance of Medical Practitioners", which was sent to all general practitioners. A revised and enlarged edition is about to be published. It gives guidance on the clinical symptoms, first aid treatment, indications for referral to hospital, hospital management, and sources of further advice relevant to poisoning by pesticides and related veterinary medicines including those containing organophosphates. In addition, the chief medical officer wrote in 1991 and 1993 to all doctors in England to alert them to the possibility of exposure to pesticides and certain veterinary medicines and to remind them of the reporting schemes for cases of suspected poisoning. They were further reminded that advice on poisoning was available from the employment medical advisory service and the Department of Health book "Pesticide poisoning notes for the guidance of medical practitioners". Also, an article in the October 1995 edition of the chief medical officer's update which is sent to all doctors dealt with the problems related to the use of organophosphate sheep dips.

Doctors (Educational Exchanges)

Ms Harman: To ask the Secretary of State for Health how many doctors from outside the European Economic Area visited the United Kingdom in each of the last five years as part of educational exchanges with British GPs. [23394]

Mr. Malone: This information is not available centrally.

Ms Harman: To ask the Secretary of State for Health what representations he has received regarding the difficulties experienced by British GPs arranging educational exchanges with GPs from outside the European Economic Area. [23395]

Mr. Malone: Representations have been received from the Royal College of General Practitioners, the Joint Committee on Postgraduate Training for General Practice, the General Medical Services Committee of the British Medical Association, "Doctor" magazine and a number of individual GPs.

Ms Harman: To ask the Secretary of State for Health to what extent the proposal for a special licence for international exchanges that would permit a doctor from abroad to practice in the United Kingdom for a specific period, at a specific location, under the supervision of a named mentor, is compatible with a single standard of entry into general practice in the United Kingdom. [23396]

Mr. Malone: The standard of experience which a doctor requires for entry to general practice is set for the United Kingdom by the Joint Committee on Postgraduate Training for General Practice, which is the UK's competent authority in this area. Either a doctor meets this standard, and may practise in the UK, or he does not, and may not practise. We do not propose to introduce a special licence to allow doctors who do not meet the joint committee's standards to work in general practice.

Ms Harman: To ask the Secretary of State for Health what measures he has taken to facilitate exchanges between British GPs and those from outside the European Economic Area. [23397]

Mr. Malone: Nothing in United Kingdom legislation prevents such exchanges taking place. We encourage exchanges between United Kingdom general practitioners and general practitioners from other countries. The incoming doctor must meet the standard for working in general practice in the United Kingdom which is set by the Joint Committee on Postgraduate Training for General Practice.

Water Tower Mental Hospitals

Dr. Lynne Jones: To ask the Secretary of State for Health if he will list *(a)* the location, by health authority, of the water tower mental hospitals in England which are still open, *(b)* their planned date of closure and *(c)* the number of patients in each at the latest available date. [23546]

Mr. Bowis: Information is available on the closure of large mental illness hospitals in the report "Survey of English Mental Hospitals March 1994—Monitoring the Closure of the Water Towers", copies of which are available in the Library. The available information on the number of patients cared for in each of the hospitals named in table 2 of the report is given in the table. The continuing monitoring of the closure programme has been taken forward by the regional offices of the national health service executive.

NHS Hospitals in table 2 of the Survey of English Mental Illness Hospitals March 1994 Monitoring the closure of the "Water Towers": Numbers of In-patients at 31 March 1994

Hospital	*In-patients all ages*
Barnsley Hall	57
Clifton	100
Coney Hill	168
Hollymoor	185
Mapperley	195
St. Francis, Nottingham	38
St. George's, Stafford	147

NHS Hospitals in table 2 of the Survey of English Mental Illness Hospitals March 1994 Monitoring the closure of the "Water Towers": Numbers of In-patients at 31 March 1994

Hospital	In-patients all ages
St. Crispin	121
Scalebor Park	35
Central	95
Claybury	361
Countess of Chester	179
Hill End	153
Maidstone	115
Netherne	57
Princess Royal	154
Roundway	99
St. George's (Morpeth)	312
St. Mary's (Northumberland)	247
St. Matthew's	157
Stanley Royd	277
Tone Vale	117
Tooting Bec	96
Whittingham	153
St. Nicholas' (Newcastle)	214
Brookwood	311
Carlton Hayes	249
Littlemore	172
Middlewood	116
Napsbury	419
Shenley	424
The Royal London Hospital (St. Clements)	99
Warlingham Park	143
All Saints	261
Parkside	249
Knowle	184
Fair Mile	212
De la Pole	246
Fairfield	415
Fulbourn	301
Goodmayes	401
High Royds	346
Horton	329
Lancaster Moor and Ridge Lea	314
Park Prewett	245
Runwell	320
Severalls	218
St. Edward's	254
St. Lawrence's	206
Warley	534
Winterton	375
Bexley	241
Cherry Knowle	320
Garlands	182
Rauceby	173
Towers	163
Winwick	398
Graylingwell	249
St. Andrew's (Norwich)	168
Springfield	429
St. James'	204
St. Luke's	140
St. Clement's (Ipswich)	190
Stone House	98
Wonford House	116
Highcroft	132
West Park	358
Barrow	212
Bootham Park	107
Ealing	327
Hellesdon	258
Henderson	24
Kingsway	285
Lynfield Mount	119
Maudsley	217
Old Manor	145
Prestwich	337

NHS Hospitals in table 2 of the Survey of English Mental Illness Hospitals March 1994 Monitoring the closure of the "Water Towers": Numbers of In-patients at 31 March 1994

Hospital	In-patients all ages
Royal Shrewsbury (Shelton)	197
St. Martin's	120
Sundridge	48
The Bethlem Royal	180
Warneford	70

Universities (Health Services Management)

Mr. Barron: To ask the Secretary of State for Health (1) what *(a)* courses have been attended at the health services management unit of the university of Nottingham and *(b)* other resources of the unit have been used by (i) NHS management trainees and (ii) existing NHS staff; [23675]

(2) what *(a)* courses have been attended at the health services management unit of the university of Manchester and *(b)* other resources of the unit have been used by (i) NHS management trainees and (ii) existing NHS staff; [23679]

(3) which *(a)* courses have been attended at the health policy unit of the university of London and *(b)* other resources of the unit have been used by (i) NHS management trainees and (ii) existing NHS staff; [23671]

(4) what *(a)* courses have been attended at the health services management centre of the university of Birmingham and *(b)* other resources of the centre have been used by (i) NHS management trainees and (ii) existing NHS staff; [23677]

(5) what *(a)* courses have been attended at the health policy and practice unit of the university of East Anglia and *(b)* other resources of the unit have been used by (i) NHS management trainees and(ii) existing NHS staff. [23673]

Mr. Malone: This information is not available centrally.

Mr Barron: To ask the Secretary of State for Health (1) how many contracts have been awarded to the health services management unit of the university of Nottingham since 1994 by *(a)* his Department, *(b)* the NHS executive, *(c)* the Northern and Yorkshire regional health authority, *(d)* the former Yorkshire RHA and *(e)* the Trent RHA; for what purposes these contracts were awarded; if they were awarded by competitive tender; and what was the value of each of these contracts. [23676]

(2) how many contracts have been awarded to the health services management unit of the university of Manchester since 1994 by *(a)* his Department, *(b)* the NHS executive, *(c)* the Northern and Yorkshire regional helath authority, *(d)* the former Yorkshire RHA, and *(e)* the Trent RHA; for what purposes these contracts were awarded; if they were awarded by competitive tender; and what was the value of each of these contracts; [23680]

(3) how many contracts have been awarded to the health policy unit of the university of London since 1994 by *(a)* his department, *(b)* the NHS executive, *(c)* the Northern and Yorkshire regional health authority, *(d)* the

former Yorkshire regional health authority and *(e)* the Trent regional health authority; for what purposes these contracts were awarded; if they were awarded by competitive tender; and what was the value of each of these contracts; [23672]

(4) how many contracts have been awarded to the health services management centre of the university of Birmingham since 1994 by *(a)* his Department, *(b)* the NHS executive, *(c)* the Northern and Yorkshire regional health authority, *(d)* the former Yorkshire RHA and *(e)* the Trent RHA; for what purposes these contracts were awarded; if they were awarded by competitive tender; and what was the value of each of these contracts; [23678]

(5) how many contracts have been awarded to the health policy and practice unit of the university of East Anglia since 1994 by *(a)* his Department, *(b)* the NHS executive, *(c)* the Northern and Yorkshire regional health authority, *(d)* the former Yorkshire RHA and *(e)* the Trent RHA; for what purposes these contracts were awarded; if they were awarded by competitive tender; and what was the value of each of these contracts. [23674]

Mr. Horam: The information is not available centrally.

GP Purchasing

Ms Harman: To ask the Secretary of State for Health what guidance he has given to health authorities in respect of the funding of a GP commission. [23421]

Mr. Malone: EL(94)79 sets out Government policy on involving general practitioners in purchasing. HSG(96)14 sets out details of management allowances for fundholding practices. Other arrangements are for local agreement. Copies of the guidance are available in the Library.

Public Health Management (Salaries)

Ms. Harman: To ask the Secretary of state for Health what was the salary of the *(a)* chief medical officer, *(b)* deputy chief medical officer and *(c)* regional directors of public health in each of the last two years; and if he will indicate the planned salaries for the next two years. [23423]

Mr. Horam: Details of individual civil servants' salaries are not made public. The chief medical officer is a grade 1A civil servant. In 1994–95 the salary of that grade was £87,435, in 1995–96 it is in the range of £90,000 to £94,999. There are two deputy chief medical officer posts in the Department. The pay range for those posts was £69,990 to £79,396 in 1994–95, and £67,500 to £98,000 in 1995–96. Regional directors of public health were paid on a scale from £59,715 to £63,375 in 1994–95, and £61,205 to £65,160 in 1995–96. Like all national health service consultants, regional directors of public health are eligible for distinction awards for meritorious service in the NHS, which were worth between £2,098 and £49,820 per annum in 1995–96, depending on the level of award. Regional directors of public health joined the Department of Health on 1 April. All salary increases in the Department are now determined by performance, so future salaries for all the grades mentioned will depend on the achievement of objectives.

Hospital Readmissions

Dr. Lynne Jones: To ask the Secretary of State for Health if the quarterly monitoring of mental health information by the NHS executive in the coming year will include readmission rates for individual patients. [23550]

Mr. Bowis: No. The national health service executive will be collecting information on the total number of patients aged 16 to 64, who are readmitted as an emergency within 90 days of discharge to the care of a psychiatric specialist; and the total number of patients aged 16 to 64 who have been discharged in the previous 90 days from the care of a psychiatric specialist.

NHS Management (Salaries)

Mr. Barron: To ask the Secretary of State for Health, pursuant to his answer to the hon. Member for Rother Valley of 25 March, *Official Report*, column *427*, if he will list all cases in which remuneration has not been paid directly to chairmen of national health service bodies. [23720]

Mr. Malone: It is for individual national health service bodies to ensure that remuneration of chairmen and non-executives is paid direct, and in accordance with Inland Revenue requirements. We are not aware of any cases where this does not happen.

Paracetamol

Ms. Harman: To ask the Secretary of State for Health what measures he will take to prevent deaths of young people arising from the use of paracetamol. [23422]

Mr. Malone: No immediate measures additional to those already in place are proposed. Paracetamol is an effective pain killer which is safe at the dosage recommended on the labelling. The Medicines Control Agency carefully evaluates all new information on the safety of paracetamol, particularly in relation to the controls on its availability.

Cancer (Vaccinations)

Ms Harman: To ask the Secretary of State for Health if he will list vaccinations currently available on the NHS assessed by his Department as helping to prevent cancer. [23424]

Mr. Horam: In protecting people from acquiring hepatitis B infection, hepatitis B vaccine will also serve to prevent that proportion of cases of hepatocellular carcinoma—primary liver cancer—that is associated with the long-term carriage of hepatitis B virus.

Mental Health

Dr. Lynne Jones: To ask the Secretary of State for Health, pursuant to his answer on 12 March, *Official Report*, column *587*, if the 68 health authorities whose plans anticipate the development of comprehensive mental health services before the end of 1996–97 included in those plans the provision of 24-hour nurse care for those residents needing it, within that time scale; and if he will list those authorities which all achieved adequate 24-hour nursed care provision for their residents before the end of 1996–97 and those that will not. [23545]

Mr. Bowis: This information is not yet available. Progress on the plans will be assessed at the end of 1996–97.

Care in the Community

Dr. Lynne Jones: To ask the Secretary of State for Health what advice he has received from the chief medical officer on the full implementation of the care programme approach for patients with a primary diagnosis of schizophrenia discharged from hospital since 1992–93 or expected to be discharged. [24010]

Mr. Bowis: My right hon. Friend the Secretary of State regularly receives advice from the chief medical officer or from other medical advisors on his behalf. Information on the implementation of the care programme approach does not, however, differentiate between patients with schizophrenia and other severely mentally ill patients.

Committee on Safety of Medicines

Mr. Simon Hughes: To ask the Secretary of State for Health if he will list for the calendar year 1995, for each member of the Committee on Safety of Medicines, the number of meetings at which they were present and the number of meetings from which they were absent. [22085]

Mr. Malone: I refer the hon. Member to the reply I gave him on 28 March, *Official Report*, column *748*.

Mr. Hughes: To ask the Secretary of State for Health, pursuant to his answer of 11 December 1995, *Official Report*, columns *520–21*, what steps he took to establish that no member of the Committee on Safety of Medicines received the papers dispatched on 11 October after 10.30 am on 12 October 1995. [22086]

Mr. Malone: Delivery times are guaranteed by the courier service used. No member complained that the papers were not received on time.

Mr. Hughes: To ask the Secretary of State for Health, pursuant to his answers of 11 December 1995, *Official Report*, column *521*, and 14 December 1995, *Official Report*, column *811*, on what basis expenditure on travel and subsistence during the period 1990 to 1995 was made; and if the expenditure was approved by the National Audit Office. [22088]

Mr. Malone: The expenditure on travel and subsistence was incurred in the performance of the normal duties of the committees.

The expenditure referred to in the reply I gave the hon. Member on 11 December 1995, columns *521–22*, has been included in the accounts of the Medicines Control Agency, which since 1 April 1992 have been subject to audit by the National Audit Office.

Mr. Hughes: To ask the Secretary of State for Health, pursuant to his answer of 11 December 1995, *Official Report*, column *523*, what limitations section 4(2) of the Medicines Act 1968 imposes on the scope of activity and advice of committees, set up under section 4 of the Act. [22089]

Mr. Malone: Section 4(2) of the Medicines Act 1968 provides that committees may be established under section 4(1) of that Act for any purpose, or combination of purposes, connected with the execution of that Act or the exercise of any power conferred by it, either generally or in relation to any particular class of substances or articles to which any provision of that Act is applicable. The implication is that such committees cannot be established for other purposes and that their activities and advice may not relate to other purposes.

Mr. Hughes: To ask the Secretary of State for Health, pursuant to his answer of 14 December 1995, *Official Report*, column *811*, to the hon. Member for Gordon Mr. Bruce), what factors justify the appointment of members of the Committees on Safety of Medicines or other section 4 committees for a period in excess of the prescribed maximum of six years. [22090]

Mr. Malone: Members are normally appointed for a three-year period and may be reappointed for further terms of office. Members are appointed and reappointed for their individual expertise in the fields of medicine, pharmacy or science. Their specialist knowledge and judgment contribute to the advice given by the committee to the Licensing Authority.

Mr. Hughes: To ask the Secretary of State for Health, pursuant to his answer of 14 December 1995, *Official Report*, column 810, to the hon. Member for Gordon (Mr. Bruce), what quality assurance proceedings relating to pharmacovigilance are in place in the Medicines Control Agency. [22091]

Mr. Malone: The Medicines Control Agency's performance in pharmacovigilance is measured against a number of high-level targets, set to protect pubic health in the field of medical products. These are published in the agency's business plan and its accomplishments against them in its annual report, copies of which are available in the Library. The agency has in place a large number of rigorous standard operating procedures relating to its many pharmacovigilance functions in order to ensure that good pharmacovigilance practice is carried out. Assessment reports on important safety issues relating to licensed medicines are subject to peer review both with the agency and by independent experts on the relevant advisory committees.

All agency procedures are subject to audit by the National Audit Office and internal Department of Health auditors.

Oral Contraceptives

Mr. Simon Hughes: To ask the Secretary of State for Health, pursuant to his answers of 11 December 1995, *Official Report*, columns *520–21*, and 8 February 1995, *Official Report*, column *344*, what factors prevented consideration of the safety issues relating to combined oral contraceptives containing desogestrel or gestodene by the pharmacovigilance subcommittee at its meetings on 5 September or 3 October. [22087]

Mr. Malone: I refer the hon. Member to the reply I gave the hon. Member for Gordon (Mr. Bruce) on 19 December 1995, *Official Report*, column *1151*.

Bovine Spongiform Encephalopathy

Mr. Hinchliffe: To ask the Secretary of State for Health what studies have been undertaken to establish whether potentially BSE contaminated material can enter human blood systems via tooth cavities when children are losing their milk teeth. [23219]

Mr. Horam: None. The Spongiform Encephalopathy Advisory Committee has considered this issue and accepts that this could be a route of BSE infection, if this occurs, as could dental disease in adults.

Deregulation

Mr. Steen: To ask the Secretary of State for Health, pursuant to the oral answer of the Chancellor of the Duchy of Lancaster to the hon. Member for Colchester, North (Mr. Jenkin) on 26 January, *Official Report*, column 576, if he will list those statutory instruments and Acts of Parliament which have been gold plated in the past five years; and what steps he is taking to amend or repeal each piece of gold plating on existing legislation. [23633]

Mr. Horam: The Government's policy is not to add unnecessary burdens when implementing EC directives. Departments take every opportunity to review existing legislation in the light of this. Officials are currently working on revised guidance to enable Ministers to see where implementing legislation goes beyond the underlying EC directive.

Appeals Mechanisms

Mr. Steen: To ask the Secretary of State for Health how many appeals mechanisms, as laid out in section 6 of the Deregulation and Contracting Out Act 1994, he expects to establish by the end of 1996; how many staff each appeals system will employ; and what their estimated annual running costs will be. [23619]

Mr. Horam: I refer my hon. Friend to the reply my hon. Friend the Chancellor of the Duchy of Lancaster gave him today.

National Blood Authority

Mr. Andrew Smith: To ask the Secretary of State for Health how many staff were employed at the National Blood Authority headquarters at 1 March 1996; and what was the total budgetary allowance for operating the National Blood Authority headquarters for 1996–97. [23433]

Mr. Horam: Some 24 staff were employed at the National Blood Authority headquarters at 1 March 1996. The National Blood Authority's estimates for 1996–97 include some £1.8 million for the costs of its headquarters. This includes costs such as rental, administrative and equipment costs, as well as staff salaries.

Incontinence

Mr. Kirkwood: To ask the Secretary of State for Health (1) what plans he has to promote continence care and services, and if he will make a statement; [23456]

(2) what guidance he has issued to health authorities on the provision of incontinence services; [23458]

(3) if he will draw up and publish national criteria for the provision of incontinence services through a Department of Health guideline; [23459]

(4) what measures he has taken to monitor incontinence services provided by health authorities. [23462]

Mr. Bowis: I refer the hon. Member to the reply I gave my hon. Friend the Member for Exeter (Sir J. Hannam) on 27 February, *Official Report*, columns *463–64*.

We have issued the following guidance to the NHS:

An Agenda for Action on Continence Services (Department of Health) issued in 1991;

The Role of the Continence Adviser in England and Wales (Social Policy Research Unit, University of York) issued in 1994;

Incontinence (Patient Perception Leaflet—NHS Executive) issued in 1994;

Incontinence—Causes, Management and Provision of Services (Royal College of Physicians) issued on 28 March 1996;

Commissioning Comprehensive Continence Services—Guidance for Purchasers (The Continence Foundation) issued on 28 March 1996.

Copies of these publications will be placed in the Library.

Work is continuing on a nursing-led clinical guideline on the management of incontinence.

The organisation of continence services locally and the manner in which they are delivered are matters for district health authorities and hospital and community trusts.

Mr. Kirkwood: To ask the Secretary of State for Health what estimate he has made of the long-term saving in residential care costs from providing support services in their own homes to patients who suffer from incontinence. [23457]

Mr. Bowis: We have made no such estimate.

Mr. Milburn: To ask the Secretary of State for Health (1) what was the amount spent on incontinence products by each health authority in each of the last five years; [24083]

(2) what was the amount spent on incontinence products for residents of private nursing homes who have been placed there by the health authority, by authority, in each of the last five years. [24084]

Mr. Bowis: The information is not available centrally.

Mr. Milburn: To ask the Secretary of State for Health how many people are currently affected by incontinence in the United Kingdom. [24085]

Mr. Bowis: This information is not available centrally.

NHS Food Costs

Mr. Milburn: To ask the Secretary of State for Health what was the amount spent per patient on food by NHS hospitals and trusts in each year since 1979. [24028]

Mr. Horam: This information is not available centrally.

Renal Dialysis

Mr. George Howarth: To ask the Secretary of State for Health (1) if he will publish estimates which have been provided to him of the numbers of people per million of population who need renal dialysis treatment for each regional health authority area for each year since 1986; [24088]

(2) if he will publish the estimates which have been provided to him of the numbers of people per million of population who have received renal dialysis treatment for each regional health authority area for each year since 1986; [24089]

(3) when he intends to publish the renal service review report. [24087]

Mr. Horam: We are still considering the best way to take forward the report of the renal review, and intend to issue guidance on purchasing renal services to health authorities in due course. This would include information on the numbers of people who received renal dialysis in each region. Information on the numbers of people who need renal dialysis is not available centrally; however, guidance has been issued to health authorities on how to carry out a needs assessment of their populations for renal disease.

Cancer Research

Mr. Madden: To ask the Secretary of State for Health what research he has *(a)* commissioned and *(b)* evaluated into links between the operations of Menwith Hill station in North Yorkshire and local incidence of cancer. [23776]

Mr. Horam: The Department has neither commissioned nor evaluated any research specifically into the local incidence of cancer near Menwith Hill station. However, I understand that the North Yorkshire health authority is aware of speculative suggestions of a raised incidence of cancer in the area, is currently examining relevant health statistics that are routinely maintained for the area, and is in contact with local community representatives.

Tobacco

Mr. Home Robertson: To ask the Secretary of State for Health if he will ban the import of tobacco on Health grounds. [23990]

Mr. Horam: No. While determined to reduce the prevalence of tobacco use, we believe that the provision of all relevant information on the dangers of smoking allows people to make their own decision.

Children in Care

Mr. Milburn: To ask the Secretary of State for Health how many children in the care of the local authority have taken up a training place from age 16 years in each of the last five years. [24027]

Mr. Bowis: This information is not available centrally.

AGRICULTURE, FISHERIES AND FOOD

Rendering Industry

Mr. Merchant: To ask the Minister of Agriculture, Fisheries and Food what financial support will be provided to the rendering industry and knackers yards in the financial year 1996–97. [24467]

Mr. Douglas Hogg: Rendering plants and associated trades are vital service industries, without which UK animal production cannot take place. In the absence of these industries, it is likely that animal waste would be unlawfully buried or dumped, leading to unacceptable health and environmental risks.

In view both of the ban on the use of mammalian meat-and-bone meal in feed for all farm animals and of current market conditions, it is proposed to provide temporary financial assistance to rendering plants of up to £118 million in the financial year 1996–97. My officials are preparing detailed proposals on the operation of this support.

Parliamentary approval to this new service will be sought in a supplementary estimate for class III, vote 2 (Ministry of Agriculture, Fisheries and Food: operational expenditure, agencies and departmental administration). Pending that approval, urgent expenditure estimated at £40 million will be met by repayable advances from the contingencies fund.

HOME DEPARTMENT

Channel Islands

Mr. Allason: To ask the Secretary of State for the Home Department (1) what rights United Kingdom citizens have to live and work in Jersey; [22711]

(2) if citizens of the Channel Islands have the right to live and work anywhere within the European Union. [22710]

Mr. Sackville: Channel Islanders benefit from European Union provisions relating to the free movement of persons or services only if they have close ties with the United Kingdom—for example, if they, a parent or grandparent were born, adopted, naturalised or registered in the United Kingdom—or they have been ordinarily resident in the United Kingdom for a period of five years. The traditional right of abode in the United Kingdom for Channel islanders is, however, unaffected by these provisions.

There are no restrictions on British citizens travelling to Jersey, which, together with Guernsey, the Isle of Man, the Republic of Ireland and the United Kingdom forms part of the common travel area.

However, in view of the serious shortage of dwelling space on the island, there are restrictions under Jersey law on the acquisition of dwelling accommodation, whether by purchase or by lease.

KGB Agent

Mr. Allason: To ask the Secretary of State for the Home Department what steps he has taken to identify the KGB agent codenamed Iogann. [23049]

Mr. Howard: It is long-standing Government policy not to comment on operational matters relating to security and intelligence.

Artyom M. Tarasov

Mr. Allason: To ask the Secretary of State for the Home Department if he will investigate the antecedents of Artyom M. Tarasov, born in Moscow on 4 July 1950. [23050]

Mr. Howard: No.

Contracts

Mr. Donohoe: To ask the Secretary of State for the Home Department how many contracts for goods or services have been awarded by his Department and its executive agencies on the basis of single negotiated contracts in each of the last three years; if he will list the companies involved and the value of the contract in each case; what percentage this represented of contracts awarded by his Department and its agencies after competitive tendering; and, in each case, why the contracts were awarded on the basis of a single negotiated tender. [22875]

Mr. Howard: The information requested is not recorded centrally and could be obtained only at disproportionate cost.

Mr. Donohoe: To ask the Secretary of State for the Home Department what guidelines are currently in force in his Department and its executive agencies relating to competitive tendering and the use of single negotiated tenders; on what grounds single negotiated tenders can be used; and what procedures are in place within his Department to ensure that the use of single negotiated tenders in competitive tendering processes is justified in all cases. [22859]

Mr. Howard: Detailed Home Office guidance on competitive tendering procedures has been very widely circulated in the Home Office and its agencies. This incorporates the Government's public purchasing policy consolidated guidelines requiring goods and services to be obtained by competition unless there are convincing reasons to the contrary. In addition, the European Community procurement directives and World Trade Organisation Government procurement agreement require most contracts above specified thresholds to be awarded following competition, subject to certain specified exceptions. The central unit on procurement's guidance note No. 40 has also been circulated within the Home Office and provides an overview of best practice in competitive tendering.

Except for very low-value items, all proposals to buy goods and services by single tender are required to be refer to a specialist procurement unit within the Home. Office. Single tender will be approved only in exceptional circumstances; for example, when for reasons of security, or compatibility with existing equipment or the protection of intellectual property rights, goods or services may be provided by only one supplier.

Asylum Seekers

Mr. Alton: To ask the Secretary of State for the Home Department in how many cases of detained asylum seekers since 4 July 1995 there was a dispute as to the individual's true age; and in how many of these cases a special adjudicator's assessment of the age of the person concerned supported *(a)* the immigration service opinion or *(b)* the age claimed by the individual concerned. [23511]

Mr. Kirkhope: The information requested is not held centrally and could be obtained only at disproportionate cost by examining individual local case files.

EDS Software

Mr. Redmond: To ask the Secretary of State for the Home Department what outsourcing contracts his agencies have with the EDS software computer system; what is the current cost; when the contract ends; what are the penalties involved should we seek early termination of the contract; and if he will make a statement. [23737]

Mr. Howard: My agencies do not have any outsourcing contracts with the EDS software computer system.

Mr. Redmond: To ask the Secretary of State for the Home Department what savings to date have been made by his Department as a result of outsourcing arrangements made with the EDS computer system; what assessment he has made of the equivalent costs for carrying out this work in house; and if he will make a statement. [24229]

Mr. Howard: My Department does not have any outsourcing contracts with the EDS software computer system.

Police Information Technology

Lady Olga Maitland: To ask the Secretary of State for the Home Department if he will make a statement on future arrangements for the delivery of police information technology. [24468]

Mr. Howard: With the agreement of the police service and police authorities the Government have decided to establish a new body—the Police Information Technology Organisation—to deliver information technology more efficiently and effectively to the police service in England, Wales and Scotland. PITO will initially be set up on a non-statutory basis, as part of the Home Office, with effect from 1 April. The new organisation will take over many of the functions and staff of the former police department science and technology group.

PITO will be responsible for promoting the delivery of national police information technology services, such as the police national computer and the police national network, and taking forward the national strategy for police information systems by co-ordinating the development of local information technology systems where common standards and systems are needed.

PITO will operate on a partnership basis between the Home and Scottish Offices, chief offices and police authorities. To reflect this tripartite approach, a council will be appointed to advise me and my right hon. Friend the Secretary of State for Scotland on the discharge of PITO's functions.

It is proposed to place PITO on a statutory footing as soon as the Government's legislative programme allows. Following legislation, the advisory council will be replaced by an executive board responsible for the strategic management of the organisation.

Director General of the Prison Service

Lady Olga Maitland: To ask the Secretary of State for the Home Department if he will announce the appointment of the Director General of the Prison Service; and if he will make a statement. [24469]

Mr. Howard: With the approval of the Prime Minister, I have today appointed Richard Tilt as Director General of the Prison Service.

I also propose to establish a Prison Service Advisory Board to advise me on the performance and plans of the Prison Service, including the key performance indicators, and on policy matters relating to the Prison Service. The advisory board will have a part-time non-executive chairman and the other members will include the director general, other senior Home Office and Prison Service officials and other non-executives.

I have concluded that the terms of the framework document which established the Prison Service as an executive agency of the Home Office in 1993 would benefit from some clarification. I propose to ask the advisory board further to consider the need for such clarification and to make recommendations.

Overseas Visits

Mr. Hall: To ask the Secretary of State for the Home Department if he will place in the Library a list of all overseas visits made by all Ministers of his Department since 1990, including *(a)* details of the places visited and brief reasons for the visit, *(b)* details of the size, composition and cost to public funds of the delegation and *(c)* the names of non-ministerial members of each delegation and the capacity in which each was present. [17482]

Mr. Howard *[holding answer 1 March 1996]:* I have placed a note in the Library setting out the readily available information on ministerial visits sought by the hon. Member. The list of visits includes the details requested for the period since 1 January 1995. The details requested for the period prior to that date are not held centrally and could be obtained only at disproportionate cost.

NORTHERN IRELAND

Bovine Spongiform Encephalopathy

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what co-operative arrangements are in place between the Republic of Ireland and Northern Ireland to prevent the importing of bovine spongiform encephalopathy into the United Kingdom; and what measures are taken to prevent its importation from the Republic of Ireland. [22937]

Mr. Ancram: Officials from the Department of Agriculture for Northern Ireland regularly meet counterparts from the Department of Agriculture, Fisheries and Food in the Republic of Ireland to discuss all aspects of animal health and there is local co-operation with official veterinarians on both sides of the border. EU legislation requires all bovine animals imported from another member state, including the Republic of Ireland, to be accompanied by documentation and their importation to be notified in advance. Department of Agriculture veterinarians carry out random checks on such animals at their point of destination, including checks for any visible signs of BSE. Veterinary staff also inspect all animals presented for slaughter at meat plants to ensure that they show no signs of BSE. Any that show such signs are slaughtered separately and their carcases incinerated.

Mr. Taylor: To ask the Secretary of State for Northern Ireland how many cattle in Northern Ireland have contracted bovine spongiform encephalopathy in each of the past five years; and how many have died. [22940]

Mr. Ancram: All animals affected or suspected of being affected with BSE are slaughtered and their carcases incinerated. The number of cattle in Northern Ireland that have contracted—that is, been confirmed as having—BSE in each of the last five years is:

March 1991—February 1992: 179

March 1992—February 1993: 398

March 1993—February 1994: 477

March 1994—February 1995: 309

March 1995—February 1996: 153.

In some cases, affected animals die before slaughter. The number of cattle that have contracted bovine spongiform encephalopathy over the last five years and have died is:

March 1991—February 1992: 7

March 1992—February 1993: 15

March 1993—February 1994: 8

March 1994—February 1995: 2

March 1995—February 1996: 3.

Contracts

Mr. Donohoe: To ask the Secretary of State for Northern Ireland how many contracts for goods or services have been awarded by his Department and its executive agencies on the basis of single negotiated contracts in each of the last three years; if he will list the companies involved and the value of the contract in each case; what percentage this represented of contracts awarded by his Department and its agencies after competitive tendering; and, in each case, why the contracts were awarded on the basis of a single negotiated tender. [22870]

Sir John Wheeler: Within the Northern Ireland Office and the Northern Ireland Departments the information requested is not available and could be obtained only at disproportionate cost.

Mr. Donohoe: To ask the Secretary of State for Northern Ireland what guidelines are currently in force in his Department and its executive agencies relating to competitive tendering and the use of single negotiated tenders; on what grounds single negotiated tenders can be used; and what procedures are in place within his Department to ensure that the use of single negotiated tenders in competitive tendering processes is justified in all cases. [22855]

Sir John Wheeler: In relation to competitive tendering and the use of single negotiated tenders the Northern Ireland Departments, the Northern Ireland Office and their executive agencies operate under the principles of Government accounting as set out in "Government Accounting" and "Government Accounting Northern Ireland"; the provisions of the following procurement legislation:

The Public Supply Contracts Regulations 1995—SI 1995 No. 201

The Public Services Contracts Regulations 1993—SI 1993 No. 3228

The Public Works Contracts Regulations 1991—SI 1991 No. 2680;

and the series of supplementary guidance notes on purchasing and supply procedures issued by the central unit on procurement HM Treasury.

These publications set out the grounds on which single negotiated tenders may be used and the procedures to justify their use.

Pensioners and Disabled People

Mr. William Ross: To ask the Secretary of State for Northern Ireland how many (i) men, (ii) women and (iii) young people of each sex are *(a)* pensioners and *(b)* registered disabled in each council area in Northern Ireland; and if he will express these figures as a percentage of the total population. [21982]

Sir John Wheeler: The 1991 census of population provides the most recent information on the number of people of pensionable age in each district council area in Northern Ireland broken down by sex. This information is as follows.

District council	Total population	Total males	Total females	Total persons aged 60–65+ years	Total males aged 65+ years	Total females aged 60+ years	Persons aged 60–65+ as percentage of total population	Males aged 65+ as percentage of total males	Female aged 60+ as percentage of total females
Antrim	44,516	22,135	22,381	5,220	1,794	3,426	11.73	8.1	15.31
Ards	64,764	31,527	33,237	10,178	3,437	6,741	15.72	10.9	20.28
Armagh	51,817	25,741	26,076	7,241	2,513	4,728	13.97	9.76	18.13
Ballymena	56,641	27,830	28,811	8,654	2,994	5,660	15.28	10.76	19.65
Ballymoney	24,198	12,022	12,176	3,590	1,274	2,316	14.84	10.6	19.02
Banbridge	33,482	16,568	16,914	4,870	1,722	3,148	14.55	10.39	18.61
Belfast	279,237	130,820	148,417	52,308	16,375	35,933	18.73	12.52	24.21
Carrickfergus	32,750	15,371	16,879	4,620	1,493	3,127	14.11	9.41	18.53
Castlereagh	60,799	28,946	31,853	11,436	3,789	7,647	18.81	13.09	24.01
Cookstown	31,082	15,503	15,579	4,033	1,473	2,560	12.98	9.5	16.43
Coleraine	50,438	24,369	26,069	7,955	2,674	5,281	15.77	10.97	20.26
Craigavon	74,986	36,511	38,475	10,142	3,308	6,834	13.53	9.06	17.76
Derry	95,371	46,708	48,663	10,215	3,222	6,993	10.71	6.9	14.37
Down	58,008	28,835	29,173	8,402	2,878	5,524	14.48	9.98	18.94
Dungannon	45,428	22,556	22,872	6,204	2,201	4,003	13.66	9.76	17.5
Fermanagh	54,033	27,095	26,938	8,504	3,299	5,205	15.74	12.18	19.32
Larne	29,419	14,318	15,101	4,808	1,590	3,218	16.34	11.1	21.31
Limavady	29,567	15,042	14,525	3,181	1,180	2,001	10.76	7.84	13.78
Lisburn	99,458	48,653	50,805	12,627	4,084	8,543	12.7	8.39	16.82
Magherafelt	36,293	18,177	18,116	4,680	1,770	2,910	12.9	9.74	16.06
Moyle	14,789	7,355	7,434	2,468	899	1,569	16.69	12.22	21.11
Newry and Mourne	82,943	41,307	41,636	10,777	3,768	7,009	12.99	9.12	16.83
Newtownabbey	74,035	35,760	38,275	10,698	3,398	7,300	14.45	9.5	19.07
North Down	71,832	34,284	37,548	12,867	4,149	8,718	17.91	12.1	23.22
Omagh	45,809	23,022	22,787	6,061	2,305	3,756	13.23	10.01	16.48
Strabane	36,141	18,116	18,025	4,662	1,699	2,963	12.9	9.38	16.44

Comprehensive information on the registered disabled, as a percentage of the total population—male and female is not available at district council level. Information for Northern Ireland as a whole is as follows:

Total registered disabled in Northern Ireland as a percentage of the total population

	Area
	Northern Ireland
Total population[1]	1,654,000
Total males[1]	809,000
Total females[1]	845,000
Total registered disabled	9,565
Total male registered disabled	6,892
Total female registered disabled	2,673
Total registered disabled as a percentage of total population	0.58
Male registered disabled as a percentage of total male population	0.85
Female registered disabled as a percentage of total female population	0.32

[1] Government Actuary's Department Population Projections for 1996.

Total registered disabled in Northern Ireland as a percentage of the total population

	Area
	Northern Ireland
[1]Total population	1,654,000
[1]Total males	809,000
[1]Total females	845,000
Total young registered disabled	134
Young male registered disabled	85
Young female registered disabled	49

Total registered disabled in Northern Ireland as a percentage of the total population

	Area
	Northern Ireland
Total young registered disabled as a percentage of total population	0.01
Young male registered disabled as a percentage of total male population	0.01
Young female registered disabled as a percentage of total female population	0.01

[1] Government Actuary's Department Population Projections for 1996.

Fish Farming

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland, pursuant to his answer of 29 January, *Official Report*, column *525*, what assessment he has made of how many of the ponds comply with *(a)* the fishery protection measures of the Fisheries Act (Northern Ireland) 1966 and *(b)* the provisions governing the installation of grids, grills and lattices. [21807]

Mr. Ancram: All the ponds have been assessed for compliance with the fishery protection measures of the Fisheries Act (Northern Ireland) 1966. Compliance with the requirement for the installation of grids, grills and lattices is monitored by staff of the Fisheries Conservancy Board for Northern Ireland during routine river patrols, but as this requirement applies only in situations where water is abstracted and returned to a river very few of the ponds would be subject to it. The Fisheries Conservancy Board does not require access to pond sites to undertake this monitoring nor does it have statutory responsibility for fish culture requiring such access.

Cultural Bodies

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland if he will list the *(a)* Irish and *(b)* Ulster Scots cultural bodies which received funding from the central community relations unit in 1995–96; how much funding was awarded to each body; and what assessment he has made of the equity of distribution between *(a)* and *(b)*. [22412]

Mr. Ancram: Further to my answer of 14 March 1996, *Official Report*, columns *743–44*, the following Irish language and Ulster Scots cultural bodies have received funding from the budget of the central community relations unit in the current financial year.

(a) Irish language cultural bodies:

CCRU has directly funded the following bodies:

	£
Ultach Trust	93,757
Gael Linn	43,000
Comhaltas Uladh	27,125
Preas an Phobail	25,258
Oideas Gael Uladh	5,000

The cultural traditions group has funded the following groups, drawing on grant provided by CCRU:

	£
Comhchoiste na Gaeilge Aontroim Thuaidh	21,000
Condradh na Gaeilge	1,200

Small grants of less than £1,000 were made by the cultural traditions group to:

An Cumann Gaelach; Cairdeas na Teanga; Coiste na Bealtaine; Comhaltas an Chreagain; Culturlann Mac Adam—O Fiaich; and Radio an Iuir.

b. Ulster Scots Cultural Groups

The cultural traditions group made the following grants to Ulster Scots cultural groups, drawing on grant provided by CCRU:

	£
Ulster Scots Heritage Council	12,470
Ulster Scots Academic Press	1,500

The distribution of these resources reflects the numbers of Irish language and Ulster Scots cultural groups in Northern Ireland, and the relative stage of development of the Irish language and Ulster Scots cultural movements. All applications for grant assistance are assessed on their merits.

Beef Industry

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what plans he has to promote the beef industry in Northern Ireland; what measures he will take to inform the public of the health safety of beef consumption; and if he will make a statement. [22939]

Mr. Ancram: The recent statement made by my right hon. Friends the Secretary of State for Health and the Minister of Agriculture, Fisheries and Food cover comprehensively the health safety of beef consumption. We continue to work to ensure that the situation of the industry in Northern Ireland and its needs are registered on all occasions.

Creutzfeldt-Jakob Disease

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many people in Northern Ireland have contracted Creutzfeldt-Jakob disease in each of the past five years; and how many have died. [22938]

Mr. Moss: There have been three cases, all fatal, resulting in one death in each of the years 1992, 1993 and 1995.

Parliamentary Questions

Mr. Donohoe: To ask the Secretary of State for Northern Ireland what was the total cost of answering parliamentary questions in each Session since 1989–90. [22904]

Sir John Wheeler: The NIO and Northern Ireland Departments do not calculate the data requested, and they could be provided only at disproportionate cost.

Schoolteachers

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland how many Irish schoolteacher qualifications were recognised under EU rules in 1993–94 in *(a)* Northern Ireland and *(b)* Great Britain; how many United Kingdom schoolteacher qualifications were recognised in the Republic of Ireland; and what assessment he has made of the desirability of making a submission to the European Commission requesting enforcement proceedings in the European Court of Justice against the Republic's Irish language requirements for such recognition. [23233]

Mr. Ancram: Two such qualifications are recognised in Northern Ireland and in Great Britain. The number of United Kingdom qualifications recognised in the Republic of Ireland is a matter for the Irish Government. The European Court of Justice has already considered the compatibility of the requirement of linguistic knowledge with EU law.

Wheelchairs

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland if he will take steps to ensure that indoor/outdoor powered wheelchairs are made freely available in Northern Ireland on the same lines as the Department of Health has announced for England and Wales; and if he will make a statement. [23234]

Mr. Moss *[holding answer 29 March 1996]:* The Department of Health announcement referred only to England. In Northern Ireland the Department of Health and Social Services is currently exploring with the four health and social services boards how the wheelchair service might be improved. In this context they will be considering the provision of indoor/outdoor powered

wheelchairs for severely disabled people and the implications for Northern Ireland of the proposals for a voucher scheme.

NHS (Residual Liabilities) Bill

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland what assessment he made of the possibility of extending the NHS (Residual Liabilities) Bill to Northern Ireland; and what were the reasons for choosing the negative resolution procedure. [23230]

Mr. Moss *[holding answer 29 March 1996]:* This is a transferred matter and it is accepted practice to amend the existing Northern Ireland legislation by means of an Order in Council rather than extension of a Bill. The negative resolution procedure was chosen to maintain the integrity of the NI statute book and because there is some urgency to ensure consistency throughout the United Kingdom.

NATIONAL HERITAGE

Internet

16. **Mr. Miller:** To ask the Secretary of State for National Heritage what information from her Department is made available over the Internet. [21907]

Mr. Sproat: The Department of National Heritage uses its Internet site to provide information on the work of the Department; guidance on issues such as the care, preservation and management of records; press notices through the Central Office of Information; and links to those sponsored bodies which have an Internet presence.

National Lottery

17. **Mr. Roy Hughes:** To ask the Secretary of State for National Heritage what research has been conducted by her Department on the effect on the finances of households of investing in the national lottery. [21908]

Mr. Sproat: My Department has commissioned surveys of spending on the national lottery and is also analysing other relevant surveys, such as the Central Statistical Office's family expenditure survey 1994–95. These surveys provide a breakdown of the total spending on the national lottery, which from the sales figures can be seen to be equivalent to around £2 a household a week, net of prizes.

Mr. David Nicholson: To ask the Secretary of State for National Heritage if she will make a statement about the development of policy on the distribution of lottery proceeds. [24290]

Mrs. Virginia Bottomley: I have today issued to the chairman of the lottery distributing bodies changes to policy directions I intend to make under section 26 (1) and (2) of the National Lottery etc. Act 1993.

These changes will allow the arts councils to consider applications for revenue funding to help to develop talents, skills and creative abilities, particularly of young people; and to consider applications for lottery grants to fund access to and participation in the arts. They will allow the sports councils likewise to consider applications for revenue funding to help to develop sporting talent and skills, particularly of young people; and to consider applications for the funding of one-off major international sporting events. Finally, they will allow the national heritage memorial fund to consider applications for grants from building preservation trusts.

None of these directions is intended to promote awards which might substitute for existing funding through grant in aid. The Millennium Commission and the National Lottery Charities Board are already able to make revenue awards and are not affected by these proposals. My colleagues in Scotland, Wales and Northern Ireland will be writing today in similar terms to the distributing bodies for which they are responsible.

Millennium Exhibition

18. **Mr. Spearing:** To ask the Secretary of State for National Heritage what consultation she has had with east London boroughs subsequent to the announcement of the proposed site of the millennium exhibition. [21909]

Mrs. Virginia Bottomley: The Millennium Commission makes all decisions entirely independently of Government, and it is for the commission to determine the arrangements for a millennium exhibition. The commission has selected the ideas and concepts for an exhibition submitted by Imagination Group Ltd., and announced on 28 February its preference for the event to be located on the Greenwich peninsula site. It is for the commission to consult as it feels is necessary in order to determine whether to award a grant to a project.

The commission has stated that it will need to be fully satisfied as to the firm commitment of the private sector support and viability of the whole project before a final grant decision will be taken. Work is currently in progress to develop the proposals submitted, and this work may include consultation by the commission with the bodies that it feels are appropriate before taking its decision. Although much of the current work is focusing on the development of the business plan and commitment of finance, substantial other work is also under way, including a detailed traffic impact assessment, and consultation with boroughs adjacent to Greenwich that may be affected by the exhibition will most likely be needed at the appropriate point of work in progress.

British Tourist Authority

19. **Mr. Hanson:** To ask the Secretary of State for National Heritage what is the timetable for the appointment of a new chairman of the British Tourist Authority and English tourist board. [21910]

Mrs. Virginia Bottomley: The new chairman will take up appointment after Ms Biss's term of office ends on 31 May.

Tourism

20. **Mr. John Marshall:** To ask the Secretary of State for National Heritage what analysis she has made of the latest figures on spending by tourists. [21911]

Mrs. Virginia Bottomley: Overseas visitors to the UK spent £11.7 billion in 1995. That is an increase of 18 per cent. on 1994, and a record in real terms. The latest figure for spending by all tourists in the UK is £34 billion in 1994, equivalent to over 5 per cent. of gross domestic product.

Arts, Sport and Heritage Funding

21. **Mr. Hawkins:** To ask the Secretary of State for National Heritage if she will make a statement on overall funding provision for *(a)* sport, *(b)* the arts and *(c)* heritage. [21913]

Mr. Sproat: I refer my hon. Friend to the reply that my right hon. Friend gave earlier today to my hon. Friend the Member for Gravesham (Mr. Arnold).

Digital Terrestrial Television

22. **Mr. Win Griffiths:** To ask the Secretary of State for National Heritage what steps she is taking to ensure that there is universal access to digital terrestrial television services. [21914]

Mrs. Virginia Bottomley: The Broadcasting Bill creates the conditions for maximising viewers' access to digital terrestrial television. Multiplex licences will be awarded to those applicants whose proposals are best calculated to promote the development of digital terrestrial broadcasting. Two of the most important criteria will be applicants' plans for maximising coverage and for encouraging the take-up of digital receivers.

British Film Industry

23. **Mr. Whittingdale:** To ask the Secretary of State for National Heritage what representations she has received about the future of the British film industry. [21915]

Mrs. Virginia Bottomley: I receive regular representations from members of the film industry on a wide range of film-related issues.

Mr. Jon Owen Jones: To ask the Secretary of State for National Heritage if she will make a statement on the British film industry. [21918]

Mrs. Bottomley: The British film industry is currently in a buoyant state and the Government are committed to boosting it further. I congratulate Emma Thompson, Nick Park, James Acheson and John Blair on their recent success in winning academy awards, and also all those who were nominated. Over the past 20 years, British talent has won around 30 per cent. of all Oscars. A number of initiatives have recently been announced which will take forward the proposals set out in the policy paper published last year. Principal among these is confirmation that the national lottery will make more than £100 million available to film-related projects over the next five years—some £19.5 million has already been allocated. We have also set up an Advisory Committee on Film Finance, which is looking at obstacles to investment in the film industry and I look forward to receiving its report in July. I have also recently announced further allocations of money to Cinema 100, which is co-ordinating the celebrations of the centenary of the cinema, to the British Film Institute and to the European Film Studio. My Department has now started a feasibility study into the viability of a west end showcase for British films and I await the outcome of that study with great interest.

As well as these new initiatives, the Government are also, of course, committed to the continued funding of the British Film Institute, the National Film and Television School, British Screen Finance, the European Co-production Fund and the British Film Commission.

Satellite Television

24. **Mr. Llwyd:** To ask the Secretary of State for National Heritage how many representations she has received during the past six months on the exclusive televising of sporting events by satellite television; and if she will make a statement. [21916]

Mr. Sproat: My Department has received representations from a wide range of interests, including over 250 letters from hon. Members in the last six months. My Department also held formal discussions with organisations representing consumers, broadcasters, sports bodies and regulatory authorities. Many representations were promoted by the publication of our discussion paper "Informing the Debate".

25. **Mr. Mullin:** To ask the Secretary of State for National Heritage what plans she has to increase the percentage of British made programmes on satellite television; and if she will make a statement. [21917]

Mrs. Virginia Bottomley: Since 1991, there has been a steady improvement in the proportion of British-made programming on satellite channels uplinked from the United Kingdom. I am pressing channels which do not yet meet the majority proportion of European programme content required to be achieved over time by the EU broadcasting directive to agree further targets for increasing such content where practicable.

Public Library Service

27. **Mr. Touhig:** To ask the Secretary of State for National Heritage if she will make a statement on the future of the public library service. [21919]

Mr. Sproat: As indicated in my right hon. Friend's written statement to the House on 18 December 1995, columns *852-54*, I will report further on the public library service in a policy paper addressing the issues raised by the public library review. I intend to publish this paper in the near future.

Safety at Sports Grounds

28. **Mr. Hinchliffe:** To ask the Secretary of State for National Heritage what steps she is taking to review the operation of the safety at sports grounds legislation. [21920]

Mr. Sproat: The safety at sports grounds legislation is kept under regular review.

Locally Funded Theatres

29. **Ms Eagle:** To ask the Secretary of State for National Heritage if she will make a statement on the future of locally funded theatres. [21921]

Mr. Sproat: Government funding in support of local theatres is channelled through the Arts Council and the regional arts boards. The funding of individual theatres is a matter for these bodies in conjunction with the local authorities and other funding partners.

Deregulation

Dr. Spink: To ask the Secretary of State for National Heritage what is her policy on deregulation; and if she will make a statement. [21895]

Mr. Sproat: I am taking forward the Government's campaign against red tape in the sectors for which I am responsible. In particular, my Department aims to remove obstacles to the competitiveness of the tourism industry, which is worth over £36 billion annually to the national economy. Many deregulatory measures beneficial to tourism have already been taken. We will work with other Departments to secure further deregulatory gains for the industry.

SOCIAL SECURITY

Contracts

Mr. Donohoe: To ask the Secretary of State for Social Security which *(a)* NHS hospital trusts and organisations and *(b)* private hospitals and medical organisations his Department has entered into contracts with for the purpose of testing of applicants for benefits administered by his Department in the current financial year and each of the three previous years; and if he will list the organisations involved, the nature of the contracts, the number of individuals covered by each contract, which agencies entered into these contracts and the monetary value of the contracts in each case. [22845]

Mr. Burt: This Department has not entered into contracts for this purpose with any NHS hospital trusts or organisations. Information about contracts with private hospitals and medical organisations is in the table.

Year	*Agency*	*Organisation*	*Nature*	*Number of individuals*	*Value of contract*
1992–93	—	None	—	—	—
1993–94, 1994–95 and 1995–96	War Pensions Agency	General Healthcare Group PLC	Provision of audiology services. Contract expires 31 October 1996	Varies according to the number of War Pension claims and appeals involving hearing loss	Varies according to the number and War Pension type of tests required

Mr. Donohoe: To ask the Secretary of State for Social Security what guidelines are currently in force in his Department and its executive agencies relating to competitive tendering and the use of single negotiated tenders; on what grounds single negotiated tenders can be used; and what procedures are in place within his Department to ensure that the use of single negotiated tenders in competitive tendering processes is justified in all cases. [22851]

Mr. Burt: Officials in this Department follow the guidance and instructions in the departmental purchasing and supply manual and the relevant domestic and EC legislation.

The Government's public purchasing policy consolidated guidelines require goods and services to be acquired by competition unless there are convincing reasons to the contrary. In addition, the EC procurement directives and World Trade Organisation Government procurement agreement require most contracts above specified thresholds to be awarded following competition, subject to certain specified exceptions. The central unit on procurement's guidance note No. 40 provides an overview of best practice in the competitive tendering process.

Casual Workers (National Insurance)

Mr. Wigley: To ask the Secretary of State for Social Security if he will clarify the guidance given to those operating the national insurance contributions system, within his Department, with regard to the position of the self-employed status of casual workers in the film and television industry, with particular reference to the equivalent guidance given for taxation purposes. [20053]

Mr. Heald: Since 1987 the Department of Social Security and the Inland Revenue have adopted a common approach with the aim of minimising employment status differences. Where one Department has made a full examination of an individual case and issued a ruling, the other Department will normally adhere to it provided the circumstances remain the same.

General guidance on employment status is provided in a joint leaflet which applies for tax and national insurance purposes. In addition, within the film and TV industry, the Inland Revenue publishes grading lists to help employers determine which workers should be self-employed and which not. The Contributions Agency has also used these lists since 1992. These lists are reviewed annually.

Currently, the Contributions Agency is co-operating with the Inland Revenue to provide guidance for 1996–97. The intention is to simplify the lists both Departments use by providing a combined list including all parts of the industry which cover television, film, video and radio work.

Asylum Seekers

Mr. Chris Smith: To ask the Secretary of State for Social Security, pursuant to his answer of 13 March, *Official Report*, column *646*, when he intends to establish the threshold levels for grants to local authorities in respect of costs that they face from measures to remove benefit from serious asylum seekers; and what consultations he has had with local authorities in seeking to establish the level. [22461]

Mr. Roger Evans: I refer the hon. Member to the reply that I gave him on 28 March, *Official Report*, column *717*.

Housing and Council Tax Benefit

Mr. Robert Ainsworth: To ask the Secretary of State for Social Security what plans he has to redesign or modify the procedure or forms which new income support claimants are given by the Benefits Agency to claims housing and council tax benefit. [22598]

Mr. Roger Evans: The content and design of the housing benefit and council tax benefit claim forms provided by the Benefits Agency are reviewed annually by the Department in consultation with the local authority associations and the Benefits Agency. A review is under way to identify the changes required in preparation for the implementation of jobseeker's allowance in October. Housing benefit and council tax benefit claims procedures are monitored continually.

Pensions

Mr. Chris Smith: To ask the Secretary of State for Social Security what estimate he has made of the cost to public funds of commencing payment of a retirement pension on the day of a pensioner's 65th birthday. [18300]

Mr. Heald: I refer the hon. Member to the reply that I gave him on 19 March, *Official Report*, column *181*.

Sir Andrew Bowden: To ask the Secretary of State for Social Security if he will estimate the number of pensioners who do not take up their entitlement to income support who also do not take up their entitlement to *(a)* housing benefit and *(b)* council tax benefit. [23967]

Mr. Heald: I refer my hon. Friend to the reply that I gave him on 11 January, *Official Report*, column *325*.

Mr. Austin Mitchell: To ask the Secretary of State for Social Security if he will assess the advantage of extending to married couples in divorce proceedings the same rules for division of pension rights as apply in the case of civil servants wishing to allocate part of their pension to their wives; and if he will list the rules applying to civil servants. [22957]

Mr. Heald: The provisions governing the allocation of civil service pensions are contained in section 5 of, and appendix 8 to, the rules of the principal civil service pension scheme.

The Government have announced their commitment to the principle of pension splitting on divorce. Options for dealing with the treatment of pensions on divorce will be dealt with in the Green Paper that we intend publishing in the summer.

Mr. Denham: To ask the Secretary of State for Social Security (1) what plans he has, in what time scale, to make regulations under section 149 of the Pensions Act 1995 to extend to occupational pension schemes his proposals for contracted-out money purchase payment schemes; [23128]

(2) by what date he will make regulations under section 149 of the Pensions Act 1995 to enable occupational pension schemes to be used for contracting out on a contracted out mixed benefits scheme. [23129]

Mr. Heald: We aim to lay regulations under section 149 of the Pensions Act 1995 before the summer parliamentary recess. From 6 April 1997 the intention is that newly contracted-out schemes will be able to contract out on a salary-related basis in respect of some members and a money purchase basis in respect of others. Existing contracted-out salary-related schemes will be able to change to contracted-out money purchase status without having to discharge their liabilities to provide salary-related benefits in respect of members' accrued rights. They will also be able to provide contracted-out money purchase benefits for some members and salary-related rights for others. Existing contracted-out money purchase schemes will be able to take advantage of the new flexibilities from April 1998. All these schemes will be known as contracted-out mixed benefit schemes or COMBS.

Family Credit

Dr. Godman: To ask the Secretary of State for Social Security (1) what percentage of those lone parents who were in receipt of family credit in *(a)* 1992–93 and *(b)* 1993–94 received family credit for (i) 26 weeks only, (ii) 52 weeks only and (iii) more than 52 weeks; [22187]

(2) how many lone parents claimed family credit in *(a)* 1992–93 and *(b)* 1993–94; [22189]

(3) how many couples claimed family credit in *(a)* 1992–93 and *(b)* 1993–94; [22190]

(4) what was the total number of family credit claimants in *(a)* 1992–93 and *(b)* 1993–94; [22191]

(5) of those couples in receipt of family credit in *(a)* 1992–93 and *(b)* 1993–94 what percentage received family credit for (i) 26 weeks only, (ii) 52 weeks only and (iii) more than 52 weeks. [22192]

Mr. Roger Evans: The available information is set out in the table. To provide data on a comparable basis, it refers to recipients of family credit at the end of each financial year. This excludes awards beginning and ending during the year and therefore significantly underestimates the number and proportion of awards that last for 26 weeks only. The proportion with longer spells on family credit is thus over-estimated.

	Caseload (000)	*Percentage of caseload with family credit in payment for 26 weeks*	*Percentage of caseload with family credit in payment for 52 weeks*	*Percentage of caseload with family credit in payment for more than 52 weeks*
1992–93				
All families	485	42.1	23.2	34.6
All lone parents	280	48.0	21.2	30.8
All couples	204	34.1	25.9	40.0
1993–94				
All families	536	38.9	21.1	39.9
All lone parents	303	45.2	21.0	33.8
All couples	233	30.7	21.3	48.0

Notes:
1. Figures refer to awards in payment at the end of the financial year; and may exclude those who ceased have ceased to claim during the year.
2. All figures have been rounded to the nearest thousand.
3. Percentages have been expressed to one decimal place, and therefore may not tally.

Source:
Family Credit Computer System: 5 per cent. sample of all awards.

Dr. Godman: To ask the Secretary of State for Social Security how many and what percentage of children in Scotland aged *(a)* under five years and *(b)* five to 15 years living with lone parents were in receipt of family credit in (i) 1992–93 and (ii) 1993–94. [22188]

Mr. Evans: The available information is set out in the table:

Child aged	*Number of children in families receiving family credit*	*Number as a percentage of children in Scotland*
As at 31 March 1993		
Under five years	11,000	3.5
Five to 15 years	37,000	5.2
As at 31 March 1994		
Under five years	12,000	3.7
Five to 15 years	41,000	5.7

1. Figures refer to awards in payment at the end of the financial year and may exclude those who have ceased to claim during the year.
2. All figures have been rounded to the nearest thousand.
3. Percentages have been expressed to one decimal place and therefore may not tally.
4. The number of children has been calculated by reference to a 5 per cent. sample of the family credit computer system and the number of children in Scotland by reference to the Office of Population Censuses and Surveys mid-term estimates 1993 and 1994.

Dr. Godman: To ask the Secretary of State for Social Security how many and what percentage of children in Scotland aged *(a)* under five years and *(b)* five to 15 years from two-parent families were in receipt of family credit in (i) 1992–93 and (ii) 1993–94. [22193]

Mr. Evans: The available information is set out in the table:

Child aged	*Number of children in families receiving family credit*	*Number as a percentage of children in Scotland*
As at 31 March 1993		
Under five years	17,000	5.4
Five to 15 years	37,000	5.2
As at 31 March 1994		
Under five years	18,000	5.4
Five to 15 years	37,000	5.1

1. Figures refer to awards in payment at the end of the financial year; and may exclude those who have ceased to claim during the year.
2. All figures have been rounded to the nearest thousand.
3. Percentages have been expressed to one decimal place and therefore may not tally.
4. The number of children has been calculated by reference to a 5 per cent. sample of the family credit computer system and the number of children in Scotland by reference to the Office of Population Censuses and Surveys mid-term estimates 1993 and 1994.

War Pensions Disregard

Mr. Simon Hughes: To ask the Secretary of State for Social Security (1) what are (i) the arrangements and (ii) the formulae for compensating local authorities for the mandatory £10 disregard of *(a)* war disablement and *(b)* war widows' pensions when assessing eligibility for council tax and housing benefit; [23209]

(2) how much his Department has paid in each of the last five years (i) in total and (ii) by local authority, to compensate local authorities for the mandatory £10 disregard of *(a)* war disablement and *(b)* war widows' pensions when assessing eligibility for council tax and housing benefit. [23210]

Mr. Heald: I refer the hon. Member to the reply that I gave him on 14 February, *Official Report*, column *654*.

Deregulation

Mr. Steen: To ask the Secretary of State for Social Security, pursuant to the oral answer of the Chancellor of the Duchy of Lancaster to the hon. Member for Colchester, North (Mr. Jenkin) on 26 February, *Official Report*, column 576, if he will list those statutory instruments and Acts of Parliament which have been gold plated in the past five years; and what steps he is taking to amend or repeal each piece of gold plating on existing legislation. [23636]

Mr. Burt: The Government's policy is not to add unnecessary burdens when implementing EC directives. We take every opportunity to review existing legislation in the light of this. Revised guidance to enable Ministers to see where implementing legislation goes beyond the underlying EC directive is in the course of preparation.

Appeals Mechanisms

Mr. Steen: To ask the Secretary of State for Social Security how may appeals mechanisms, as laid out in section 6 of the Deregulation and Contracting Out Act 1994, he expects to establish by the end of 1996; how many staff each appeals system will employ; and what their estimated annual running costs will be. [23616]

Mr. Burt: I refer the hon. Member to the reply given to him today by my right hon. Friend the Chancellor of the Duchy of Lancaster.

Performing Artists (National Insurance)

Mr. Burden: To ask the Secretary of State for Social Security (1) what assessment he has made of the impact on living standards of actors of the proposal to take actors out of eligibility for class 1 national insurance contributions; [24018]

(2) what consultations he has had with *(a)* theatre employers, *(b)* television employers and *(c)* actors' organisations on proposals to change actors' eligibility for class 1 national insurance contributions; [24019]

(3) if he will delay a decision on changes to eligibility rules concerning actors and class 1 national insurance contributions pending consultations with *(a)* theatre employers, *(b)* televisions employers and *(c)* actors' organisations. [24017]

Mr. Heald: In reviewing the national insurance position of actors, departmental officials have consulted the following organisations:

The Theatres' National Committee,

The British Broadcasting Corporation,

The ITV Network Centre,

The Producers' Alliance for Cinema and Television,

The British Actors' Equity Association.

In common with other occupations and professions, liability for the contributions paid by actors depends on the contractual nature of the engagement: that is, whether, under the law, it is employed earner's employment or self-employment. Employment status is decided without reference to any potential impact on the living standards of the individual concerned.

I am meeting representatives of Equity today, 1 April, and I am prepared to have further consultations with the industry if it seeks them.

Mr. Frank Field: To ask the Secretary of State for Social Security if he will list the grounds for removing the right of performing artists to pay class 1 national insurance contributions; what external advice he took before making this decision; and what estimate he has made of the financial impact this move will have on *(a)* the national insurance fund and *(b)* the income support budget for the next five years. [23850]

Mr. Heald: This Department has generally regarded performers as employed earners. However, as a result of two tax cases before the special commissioners, the Inland Revenue now generally regards performers as self-employed and we are reviewing our position in the light of this change.

In reviewing the position, departmental officials have sought views from representatives both of performers and of the broadcasting, film, theatre and video industries.

Performing artists have no special rights to pay class 1 national insurance contributions: like other contributors, they are legally liable to pay the appropriate class of contribution depending on their employment status.

No reliable estimate is available of the effects on public funds of any widespread shift away from the payment of class 1 contributions by performers.

Jobseeker's Allowance

Mr. Rooney: To ask the Secretary of State for Social Security what benefit payment cards will be introduced for claimants of JSA; and what transitional arrangements will apply. [24150]

Mr. Heald: Jobseeker's allowance claimants will be issued with the same benefit payment card as other social security customers. Claimants of jobseeker's allowance will be paid by girocheque until they are converted to the benefit payment card which, on current planning assumptions, will commence in October 1997.

WALES

Morriston Hospital, Swansea

Mr. Donald Anderson: To ask the Secretary of State for Wales what is his estimate of the length of the delay in the start-up date for work on the accident and emergency department at Morriston hospital, Swansea; and to what extent this is due to the work being subject to the private finance initiative. [22963]

Mr. Richards: The start date for work in the accident and emergency department is dependent upon Morriston Hospital NHS trust completing its business case for a range of capital investments and securing approval from Lechyd Morgannwg health authority and the Welsh Office. Once the business case is approved, the trust will explore the opportunities for private sector investment, in line with all public sector capital developments. Any delay to the start can be quickly made up through speedy implementation of the works by a private sector partner.

Contracts

Mr. Donohoe: To ask the Secretary of State for Wales (1) what guidelines are currently in force in his department and its executive agencies relating to competitive tendering and the use of single negotiated tenders; on what grounds single negotiated tenders can be used; and what procedures are in place within his Department to ensure that the use of single negotiated tenders in competitive tendering processes is justified in all cases; [22856]

(2) how many contracts for goods or services have been awarded by his Department and its executive agencies on the basis of single negotiated contracts in each of the last three years; if he will list the companies involved and the value of the contract in each case; what percentage this represented of contracts awarded by his Department and its agencies after competitive tendering; and, in each case, why the contracts were awarded on the basis of a single negotiated tender. [22871]

Mr. Hague: The Government's public purchasing policy consolidated guidelines require goods and services to be acquired by competition unless there are convincing reasons to the contrary. In addition, the EC procurement regulations and World Trade Organisation Government procurement agreement require most contracts above specified thresholds to be awarded following competition, subject to certain specified exceptions. the Treasury's central unit on procurement's guidance note No. 40 provides an overview of best practice in the competitive tendering process.

My Department requires senior officers to obtain written approval for single negotiated contracts valued above £1,000 from the head of finance programmes division, who is advised by the head of procurement. The Department's executive agency, Cadw, requires the agreement of its chief executive for single negotiated contracts valued above £10,000 and the agreement of the appropriate head of branch for those valued below £10,000.

Information on the number, value and percentage of single negotiated contracts awarded, the companies involved and the reasons why such contracts were awarded is not available in the form requested, and could be provided only at disproportionate cost.

Wetlands

Mr. Llwyd: To ask the Secretary of State for Wales what representations his Department has recently received from Friends of the Earth, Cymru concerning wetland areas in Wales; and if he will make a statement. [23183]

Mr. Gwilym Jones: No such representation has been received.

Local Government Finance

Mr. Barry Jones: To ask the Secretary of State for Wales what assessment he has made of the representations which he has received on the 1996–97 revenue support grant settlement. [23746]

Mr. Gwilym Jones: My right hon. Friend took account of all the representations made to the Welsh Office in making decisions on the 1996–97 local government revenue settlement. The decisions were approved by the House of Commons on 8 February.

Homelessness

Mr. Barry Jones: To ask the Secretary of State for Wales what new measures he will take to tackle homelessness; and if he will make a statement. [23744]

Mr. Gwilym Jones: There is a comprehensive range of measures in Wales to tackle homelessness and encourage the provision of suitable housing, especially for those least able to help themselves.

Our approach is working: homelessness in Wales is falling. In the nine months to 30 September 1995—latest figures available—the number of cases of homelessness accepted by Welsh local authorities fell by 13.9 per cent. compared to the same period in 1994. There was also a large reduction—44.6 per cent.—in the use of bed-and-breakfast accommodation at 30 September 1995 compared to the same point in 1994.

Energy Conservation

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement on his Department's work in energy conservation. [23748]

Mr. Gwilym Jones: The Welsh Office's energy and environment office provides businesses and other organisations with a wide range of support services on the efficient use of energy. These comprise free on-site visits; seminars; conferences and workshops; and availability of extensive best practice material and guides. The Office also supports the development of local energy and environment business action groups. Membership gives those concerned with energy management the opportunity to learn from others and broaden their knowledge and skills.

EDS Software

Mr. Redmond: To ask the Secretary of State for Wales what outsourcing contracts his agencies have with the EDS software computer system; what is the current cost; when the contract ends; what are the penalties involved should he seek early termination of the contract; and if he will make a statement. [23741]

Mr. Hague: My agency—Cadw—does not have any outsourcing contracts with EDS.

Unmet Housing Need

Mr. Barry Jones: To ask the Secretary of State for Wales what estimate he has made of the backlog of unmet housing need. [23743]

Mr. Gwilym Jones: Over 80 per cent. of households in Wales have expressed the wish to own their own home. Most housing needs are being met through the private market and I estimate that the completion of over 3,500 housing association homes in 1996–97 will go a considerable way towards meeting the need for subsidised housing.

Nursery Voucher Scheme

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make it his policy that the nursery voucher scheme shall not apply in Wales. [23755]

Mr. Richards: No. The schemes will give parents in Wales a greater choice in the type of education they want for their four-year-olds, will stimulate diversity of provision and will act as a lever to raise standards.

Public Interest Immunity Certificates

Mr. Llwyd: To ask the Secretary of State for Wales if he will list all those in his Department authorised to issue public interest immunity certificates; and if he will make a statement. [23820]

Mr. Hague: A claim to public interest immunity relating to departmental documents or information is usually made by the appropriate Minister.

Deregulation

Mr. Steen: To ask the Secretary of State for Wales, pursuant to the oral answer of the Chancellor of the Duchy of Lancaster to the hon. Member for Colchester, North (Mr. Jenkin) on 26 February, *Official Report*, column 576, if he will list those statutory instruments and Acts of Parliament which have been gold plated in the past five years; and what steps he is taking to amend or repeal each piece of gold plating on existing legislation. [23638]

Mr. Hague: None.

Appeals Mechanisms

Mr. Steen: To ask the Secretary of State for Wales how many appeals mechanisms, as laid out in section 6 of the Deregulation and Contracting Out Act 1994, he expects to establish by the end of 1996; how many staff each appeals system will employ; and what their estimated costs will be. [23623]

Mr. Hague: I refer my hon. Friend to the answer given to him today by my right hon. Friend the Chancellor of the Duchy of Lancaster.

Cardiff Bay Barrage

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to table 3.17 of his departmental report, if he will set out the principal reasons for the difference between the target and the forecast outturn for completion of the Cardiff bay barrage construction contract at the end of the 1995–96 financial year. [23559]

Mr. Hague: The Cardiff Bay development corporation is reporting good progress on the barrage project. Expenditure in 1995–96 is now expected to be over £40 million, which is within 5 per cent. of the target figure set at the start of the year. I have asked the chief executive to provide the hon. Member with the principal reasons for the variations from the target figures set at the start of the year, once the final outturn figures are known. I will arrange for a copy of his response to be placed in the Library of the House.

Local Government Reorganisation

Mr. Win Griffiths: To ask the Secretary of State for Wales what were the reasons for the time taken to direct the Local Government Boundary Commission to review the boundary between the Bridgend and Vale of Glamorgan county boroughs in the area from Coychurch to Ewenny. [24086]

Mr. Gwilym Jones: The direction was issued on 6 February 1995, enabling the Local Government Boundary Commission, in preparing its initial draft proposals, to consult and take account of the views of the new unitary authorisation which were not elected until 4 May 1995.

Written Answers to Questions

Tuesday 2 April 1996

DUCHY OF LANCASTER

Regulations

Mr. Steen: To ask the Chancellor of the Duchy of Lancaster which of the 1,000 regulations identified for repeal or amendment by the Prime Minister are the responsibility of his Department; of those which *(a)* have been repealed or amended and *(b)* are planned to have been repealed or amended by the end of the 1995–96 parliamentary Session; and if he will list those whose repeal has saved business more than £1 million per annum. [23645]

Mr. Freeman: I am arranging for a list of regulations which have been repealed or amended to date to be compiled and placed in the House Libraries. This will also include examples of the savings to business. Details of regulations still to be amended or repealed will be announced as and when consultations are completed.

EDS Computer System

Mr. Redmond: To ask the Chancellor of the Duchy of Lancaster what out-sourcing contracts his agencies have with the EDS software computer system; what is the current cost; when the contract ends; what are the penalties involved should he seek early termination of the contract; and if he will make a statement. [23728]

Mr. Willetts: There are none.

Mr. Redmond: To ask the Chancellor of the Duchy of Lancaster what savings to date have been made by his Department as a result of out-sourcing arrangements made with the EDS computer system; what assessment he has made of the equivalent costs for carrying out this work in-house; and if he will make a statement. [24233]

Mr. Willetts: The Cabinet Office and its agencies have not entered into any out-sourcing arrangements with the EDS computer system.

Mr. Redmond: To ask the Deputy Prime Minister what savings to date have been made by his Department as a result of out-sourcing arrangements made with the EDS computer system; what assessment he has made of the equivalent costs for carrying out this work in-house; and if he will make a statement. [24236]

The Deputy Prime Minister: I refer the hon. Member to the reply given by my hon. Friend the Parliamentary Secretary, Office of Public Service.

Official Hospitality

Mr. Tony Banks: To ask the Deputy Prime Minister, pursuant to his answer of 14 December 1995, *Official Report*, column *750*, if he will give a breakdown of the figure of £30,100 for official hospitality by his ministerial office and related agencies. [24445]

Mr. Willetts: The figure of £30,100 given in my answer of 14 December represented expenditure on official hospitality by the Cabinet Office, including the Office of Public Service, and its executive agencies—excluding HMSO—for the period 1 April 1995 to the end of November 1995. It was made up of £14,800 expenditure by the Cabinet Office—excluding the Prime Minister's Office—£4,000 by OPS agencies and £11,300 by the Central Office of Information.

Mr. Banks: To ask the Deputy Prime Minister, pursuant to the answer of 25 March, *Official Report*, column *693*, for whom the two dinners at Lancaster house were held; how many people attended; and what was the cost in each case. [24428]

Mr. Willetts: The Deputy Prime Minister hosted the dinners in question in order to discuss a range of competitiveness issues with a mix of senior public and private sector representatives. Seventeen people attended the first dinner, at a cost of £1,118.36. Eighteen attended the second, at a cost of £1,163.41.

The Deputy Prime Minister has also hosted one other lunch at Lancaster house, and a dinner at another venue, for a total of 22 people, from a similar range of backgrounds and to discuss other issues relating to national competitiveness, at a total cost of £1,204.53.

Parliamentary Questions

Mr. Donohoe: To ask the Deputy Prime Minster to what extent *(a)* he and *(b)* his office has a role in the co-ordination of answers from Ministers to parliamentary questions tabled by hon. and right hon. Members. [23778]

The Deputy Prime Minister: As Chairman of the Ministerial Committee on the Co-ordination and Presentation of Government Policy, I have in place procedures for co-ordinating the handling of linked parliamentary questions put to a number of departmental Ministers and parliamentary questions put to one Government Department where the subject matter is of wider interest to the Government as a whole. In each case, it is for the departmental Minister to take responsibility for the answer. The co-ordinating procedures are designed to secure consistency and efficient handling of those questions which extend beyond the field of responsibility of individual departmental Ministers.

Mr. Donohoe: To ask the Deputy Prime Minister what is his role in the framing of answers to parliamentary questions to other Government Departments. [23719]

The Deputy Prime Minister: My role is confined to those cases where the subject matter of a question put to another Government Department cuts across the responsibilities of several Departments including my own, or has been brought to the attention of the Ministerial Committee on the Co-ordination and Presentation of Government Policy, which I chair, as a matter of wider interest to Government as a whole. In such cases, the lead Department would liaise with the Committee, and with other interested Departments, over the terms of the answer. In each case, it is the departmental Minister who has responsibility for the final answer.

LORD CHANCELLOR'S DEPARTMENT

Civil Enforcement Agents Review

Mr. Merchant: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on the progress of the review of civil enforcement agents. [24699]

Mr. Jonathan Evans: The discussions referred to in my written answer of 29 June 1995, *Official Report*, column *741*, have now concluded. Following careful consideration of the proposals which emerged from these discussions, I believe that the best way of achieving a proper and professional service for creditors and debtors lies in a package of initiatives specifically focused on the areas of concern identified in the course of the review.

I therefore intend to implement a range of measures that will increase creditors' access to enforcement by the sheriffs while increasing the efficiency and effectiveness of the county court bailiff service for those who continue to use it. At the same time, my Department will be working with other Government Departments and relevant bodies to modify and strengthen the certification procedure for other bailiffs and to ensure that redress is both available and accessible for those aggrieved by the actions of private bailiffs.

FOREIGN AND COMMONWEALTH AFFAIRS

EU Council

Mr. Garnier: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on forthcoming business in the Council of the European Union. [24012]

Mr. David Davis: The answer is as follows:

SUBJECT: MONTHLY FORECAST OF BUSINESS FOR APRIL 1996

1. The following Councils are scheduled:

12 April: Transport (informal)
12 April: Ecofin (informal)
13 April: Transport (informal)
13 April: Ecofin (informal)
13 April: Social Affairs (informal)
18 April: Tourism
22 April: Fisheries
22 April: General Affairs Council
23 April: General Affairs Council
23 April: Consumer Affairs
23 April: Culture (informal)
24 April: Culture (informal)
24 April: Telecom (informal)
25 April: Telecom (informal)
29 April: Agriculture
30 April: Agriculture

2. The following subjects are likely to be discussed:

12/13 April: Transport Council (informal)

— Need to complete infrastructure network as defined in Community documents and the respective legal and financial instruments
— Means for transferring traffic from roads
— Transport and the environment
— Harmonisation of conditions for transport activities

12/13 April: Ecofin Council (informal)

— Discussion of European Monetary Union:
relationship between participating and non-participating countries;
German proposals for a stability pact;
technical and legal issues posed by the introduction of the euro
— Discussion of economic situation in the EU:
initiatives to deal with unemployment (Santer's confidence pact)
— Taxation (discussions of Commission paper)

13 April: Social Affairs Council (informal)

— Agenda not yet available.

18 April: Tourism Council

"A" Points

— As advised by council secretariat

"B" Points

— 1992 tourism action plan: evaluation report (debate)
— Proposal for a council decision establishing a new tourism action plan (debate) (possible item)
— Council resolution on Euro-Mediterranean co-operation in the field of tourism
— Commission green paper on tourism (debate)

22 April: Fisheries Council

"A" Points

— As advised by council secretariat

"B" Points

— Quota flexibility
— Drift nets
— Technical measures in the Mediterranean
— Presentation of multi-annual guidance programme IV
— Research
— Aquaculture statistics
— Third countries (possible item)
— Fish fees (possible item)

22/23 April: General Affairs Council

— Agenda not yet available

23 April: Consumer Affairs Council

"A" Points

— As advised by council secretariat

"B" Points

— Proposal for directive on indication of prices of consumer products (political agreement)
— Proposal for directive on injunctions for the protection of consumers' interests (orientation debate)
— Commission action plan on consumer access to justice (presentation by Commission and exchange of views)
— Council conclusions on priorities for consumer policy
— Open debate on Commission communication on priorities for consumer policy
— Proposal for directive on sale of goods and consumer guarantees (Commission presentation)
— Proposal for directive on rate of charge of consumer credit (Commission presentation)

23/24 April: Culture Council (informal)

— Agenda not yet available

24/25 April: Telecom Council (informal)

— Agenda not yet available

29/30 April: Agriculture Council

"A" Points

— As advised by council secretariat

"B" Points

— Reform of the fruit and vegetable regime

— Price fixing

— Bananas

— Oilseeds for non-food uses (possible item)

— Geographical designations

— Plant health: solidarity and responsibility (possible item)

— Veterinary and fish fees (possible item)

— Pesticide maximum residence levels (possible item)

Government Code and Cypher School

Mr. Allason: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the current location of the Government code and cypher school *(a)* original decrypts of German army and air force Enigma traffic and *(b)* SMA original decrypts in the Japanese military attaché series. [23841]

Mr. Rifkind: The Government communication headquarters—GCHQ—released reports based on Government code and cypher school decrypts of wartime German army and air force messages to the Public Record Office in January 1996 under reference HW5. Reports based on decrypts of Japanese military attaché messages were released in April 1995 under reference HW10. In many cases, the original decrypts were destroyed when the reports were issued, or soon after, and the Public Record Office has stated that it has no requirement for GCHQ to release the few original decrypts that still exist.

Mr. Allason: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to release original Government code and cypher school Enigma decrypts to the Public Record Office. [23842]

Mr. Rifkind: GCHQ has already released to the Public Record Office—PRO—a considerable amount of Government code and cypher school signals intelligence and related documents, including the reports based on Enigma decrypts which were passed to Churchill from 1941 onwards. GCHQ is continuing to review its records from the second world war and earlier, with the aim of releasing as many as possible. The answer which I gave to the hon. Gentleman earlier explained that the few remaining decrypts are not required by the PRO.

Colombia

Mr. Keen: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what is Her Majesty's Government's assessment of the human rights situation in Colombia; and if the UK will be raising the issue of human rights in Colombia at the 52nd UN Commission on Human Rights; [23823]

(2) what measures he intends to take to address the human rights situation in Colombia at the UN Commission on Human Rights. [23824]

Sir Nicholas Bonsor: We take a close interest in the human rights situation in Colombia. The Colombian Government are making efforts to improve the situation, but the high level of violence, the guerrillas, narco-traffickers and unauthorised actions by the security forces cause problems. At the UN Commission on Human Rights, the presidency will deliver a statement on behalf of the European Union reviewing the human rights situation in several specific countries, including Colombia.

European Parliament

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 25 March, *Official Report*, columns *409–10*, on how many days the D2 building in Brussels was used for plenary sessions in *(a)* 1995 and *(b)* 1996. [24104]

Mr. David Davis: The European Parliament held plenary sessions in Brussels on 12 days on 1995 and will meet there on 16 days in 1996. The D2 building also contains offices and committee rooms and is in continuous use.

BBC World Service

Sir David Steel: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans Her Majesty's Government have to review the proposed reductions in the BBC World Service's grant for 1997–98; and what representations he has received in support of the proposed reductions. [23816]

Mr. Hanley: The amount to be made available as grant in aid for the BBC World Service in 1997–98 will be considered along with all the other Government expenditure, during the 1996 public expenditure round, later this year.

The Government receive many representations in support of reduced public expenditure generally, but are not aware of any specifically relating to the BBC World Service.

Regulations

Mr. Steen: To ask the Secretary of State for Foreign and Commonwealth Affairs which of the 1,000 regulations identified for repeal or amendment by the Prime Minister are the responsibility of his Department; of those which *(a)* have been repealed or amended and *(b)* are planned to have been repealed or amended by the end of the 1995–96 parliamentary Session; and if he will list those whose repeal has saved business more than £1 million per annum. [23657]

Mr. Hanley: I refer the hon. Member to the answer given by my right hon. Friend the Chancellor of the Duchy of Lancaster today.

St. Helena

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer on 19 March, *Official Report*, column *112*, if he will place in the Library a copy of the guidelines on broadcasting issued by the St. Helena Government. [23573]

Sir Nicholas Bonsor: These guidelines are a confidential internal document drawn up by the Government of St. Helena for use in the Government broadcasting service. It would not, therefore, be

appropriate to place them in the Libraries of the House. Media arrangements in St. Helena are under review by the St. Helena Government.

Cuba

Mr. Tony Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions Her Majesty's Government have had with Governments in the Caribbean region about the United States Cuban Liberty and Democratic Solidarity Act. [24108]

Sir Nicholas Bonsor: We have discussed the issue with the Mexican Government. My right hon. and learned Friend the Foreign Secretary expects to discuss it with Governments in the region when he visits later this month.

Travel Immunisation Service

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the proposed privatisation of the travel immunisation service. [24182]

Mr. Hanley: I refer the hon. Member to the answer given by the Under-Secretary of State for Health today.

Government Communication Headquarters

Mr. Meale: To ask the Secretary of State for Foreign and Commonwealth Affairs if a meeting between the chair of the Government Communications Staff Federation and civil service unions is permitted under the conditions laid down in CCHQ general notice—GN100/84. [24395]

Mr. Rifkind: GCHQ general notice GN 100/84 was superseded on 20 December 1995 by another notice, PCN 12/95, which, in accordance with my written reply to my hon. Friend the Member for Gravesham (Mr. Arnold) on that day, *Official Report*, columns *1191–92*, relaxed the restrictions on trade union membership at GCHQ while still upholding the Government's concerns regarding the protection of national security. Like GN 100/84, PCN 12/95 places no constraints on a meeting between the chairman of the Government Communications Staff Federation and the civil service unions.

Commonwealth Co-ordination Division

Mr. Gapes: To ask the Secretary of State for Foreign and Commonwealth Affairs how many staff are currently in post in the Commonwealth co-ordination department; and what are their grades. [24217]

Mr. Hanley: There are seven permanent staff in the FCO's Commonwealth co-ordination department. Their grades are as follows, with home civil service equivalents in brackets: diplomatic service grade 4 (HCS5), DS5 (HCS7), DS7 (HEO), DS9 (EO), DS10 (AO), S2 (personal secretary) and executive assistants (no equivalent). Prior to the biennial Commonwealth Heads of Government meeting, the Departments's staff increased by some 50 per cent. to handle the United Kingdom preparation for those meetings.

Ms Louise Stack

Mr. Corbett: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will now make representations to the Spanish Government about their failure to implement the terms of the treaty between the United Kingdom and that country on the transfer of convicted prisoners in the case of Ms Louise Stack.

Mr. Hanley: There is no bilateral treaty between Spain and the UK on the transfer of convicted prisoners. We are not aware of any failure by the Spanish authorities to observe the Council of Europe convention on the transfer of sentenced persons in the case of Ms Louise Stack.

Ms Stack was released from prison in Spain on conditional liberty on 26 March.

OVERSEAS DEVELOPMENT ADMINISTRATION

Zanzibar

Mr. Michael Brown: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on British aid to Zanzibar. [24587]

Mr. Hanley: We have decided that, in present circumstances, we should not continue with our programme of development assistance to Zanzibar. This reflects our concern about the way in which the outcome of the Zanzibar Government elections in October 1995 was handled, and disturbing reports of post-election political polarisation and harassment of some sections of the community. We do not believe that the current environment is conducive to the effective implementation of a development programme. This decision does not preclude the resumption of further assistance to Zanzibar when circumstances have improved.

Global Environment Facility

Mr. Robert G. Hughes: To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects to receive copies of the first annual report of the global environment facility; and if he will place a copy in the Library. [24589]

Mr. Hanley: Copies of the first annual report of the global environment facility have recently been received. A copy has been placed in both Libraries of the House.

Zambia

Mr. Tony Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations Her Majesty's Government have made to the Zambian Government about future elections, with particular reference to the banning of individual candidates; and if he will make a statement. [23913]

Mr. Hanley: We have made clear to the Government of Zambia our concern about possible amendments to the constitution which would exclude the leader of the main opposition party from standing for the presidency in the elections due later this year.

DEFENCE

Joint Headquarters

4. **Mr. Stewart:** To ask the Secretary of State for Defence what will be the role of the permanent joint headquarters. [22308]

Mr. Portillo: The permanent joint headquarters, which I shall formally open tomorrow, will enhance the ability of the three armed services to plan for the conduct of joint operations and to carry them out, including command of the new joint rapid deployment force when it is deployed.

Peacekeeping

5. **Mr. Ashby:** To ask the Secretary of State for Defence if he will make a statement on the role of British forces' contribution to peacekeeping operations world-wide. [22309]

Mr. Soames: There are some 10,500 ground troops with the NATO peace implementation force in Bosnia, supported by 1,200 other personnel. We are also making important contributions to United Nations peacekeeping operations around the world.

Defence Spending

7. **Mr. Tredinnick:** To ask the Secretary of State for Defence what assessment he has made of the effect on Britain's position in the UN Security Council of reducing the United Kingdom's defence spending to the European average. [22311]

Mr. Portillo: Reducing defence spending to the current NATO European average would involve cuts of over £4.5 billion per year. This would have a gravely damaging effect on our armed forces and on their ability to carry out operations, including those carried out under the auspices of the UN Security Council.

Royal Yacht

15. **Mr. Barry Field:** To ask the Secretary of State for Defence what arrangements will be made to mark the last visit of the royal yacht to Cowes; and if he will make a statement. [22320]

Mr. Soames: Events to mark the last visit of HYM Britannia to Cowes have yet to be decided.

Nuclear Deterrent

16. **Mr. Thomason:** To ask the Secretary of State for Defence if the United Kingdom will retain its independent nuclear deterrent. [22321]

Mr. Soames: We shall maintain a minimum independent nuclear deterrent for as long as is necessary for this country's security.

Gaelic Athletic Association

17. **Mr. Canavan:** To ask the Secretary of State for Defence if his Department will now restore to the Gaelic Athletic Association the full use of its ground at Crossmaglen. [22322]

Mr. Soames: Crossmaglen Gaelic Athletic Association club has full use of its pitch and other facilities. A small proportion of the club's land is held under the Northern Ireland (Emergency Provisions) Act 1991 and forms part of the joint police and Army base in Crossmaglen. This will continue for as long as the security situation demands.

Art Collection

18. **Mr. Cohen:** To ask the Secretary of State for Defence what steps he has taken to recover missing parts of his Department's art collection; what new security measures are in place to avoid further losses; and what plans he has to commission new art works to replace those lost from his departmental budget. [22324]

Mr. Artbuthnot: We will continue to make every effort to recover missing works of art by a renewed search of our buildings.

Works of art are safeguarded by securing the rooms in which they hang, asking staff who occupy those rooms to verify that the rooms are safe and by inspections by staff responsible for works of art.

We have no plans at present to commission new works of art.

Exports

19. **Mr. Elletson:** To ask the Secretary of State for Defence what recent assessment he has made of the performance of the British defence industry in export markets. [22325]

Mr. Arbuthnot: British defence equipment manufacturers continue to enjoy success in the export market. In 1995, they won contracts worth about £5 billion, giving UK an estimated world market share of 19 per cent.

23. **Mr. John Marshall:** To ask the Secretary of State for Defence what assessment he has made of the British defence industry's performance in export markets in the last three years. [22329]

Mr. Arbuthnot: Over the last three years—1993 to 1995—UK defence equipment export orders have been worth almost £17 billion.

Royal Auxiliary Air Force

20. **Mr. Wilkinson:** To ask the Secretary of State for Defence what progress he is making to increase the number of aircrew in the Royal Auxiliary Air Force. [22326]

Mr. Soames: Members of the Royal Auxiliary Air Force do not currently serve as aircrew. The RAF has, however, conducted trials to assess the feasibility of recruiting and training volunteer reservist aircrew. The trials were conducted on the Hercules aircraft at RAF Lyneham, and the Wessex helicopter at RAF Benson. The trials were completed earlier this year and the RAF is currently assessing the results.

Nimrod Reconnaissance Aircraft

21. **Mr. Mans:** To ask the Secretary of State for Defence when he expects to be able to make a decision concerning the replacement of the Nimrod maritime reconnaissance aircraft. [22327]

Mr. Arbuthnot: We expect to award a contract for the RAF's replacement maritime patrol aircraft in the late summer.

Atomic Weapons Establishment, Llanishen

22. **Mr. Morgan:** To ask the Secretary of State for Defence what assessment he has made of the costs and benefits of disposal of the atomic weapons establishment, Llanishen, Cardiff, subsequent to closure. [22328]

Mr. Arbuthnot: There will be no further defence requirement for the Cardiff factory after 1997. Prior to the decision to close it, an assessment was made of the associated costs and benefits. The former consist mainly of severance payments and decommissioning costs. The benefits to my Department will be felt in terms of reduced annual expenditure.

RAF Manpower

24. **Mr. Keen:** To ask the Secretary of State for Defence what was the total manpower of the RAF in 1990; and what is his estimate of the strength of the RAF by the end of the decade. [22330]

Mr. Soames: The total strength of the RAF on 1 April 1990 was 89,685. The estimated strength for 1 April 1999 is some 55,500. Both figures include personnel undergoing training.

Greenham Common

25. **Mr. Rendel:** To ask the Secretary of State for Defence what recent discussions he has held with English Nature regarding the return of runways at Greenham Common to heathland. [22331]

Mr. Soames: The removal of concrete from the runways at Greenham Common and the restoration of heathland was agreed between officials of my Department and English Nature prior to the commencement of work.

Porton Down

26. **Mr. Key:** To ask the Secretary of State for Defence if he will make a statement about recent changes to the structure and functions of the chemical and biological defence establishment at Porton Down. [22332]

Mr. Arbuthnot: The function of the chemical and biological defence establishment remains unchanged. It provides Her Majesty's Government with advice on the threat posed by chemical and biological weapons and carries out research to ensure that the United Kingdom's armed forces are provided with safe and effective protection. Since 1 April 1995, CBDE, with the chemical and electronic systems sector, has been a division of the Defence Evaluation and Research Agency. On 1 April 1996, CBDE is being renamed the protection and life sciences division. At the same time, it will be expanded to include the centre for human sciences based at Farnborough, which will incorporate the defence radiological protection service based at Alverstoke. The mission for the new division will be to provide a comprehensive and integrated approach to protecting the human being in military environments and optimising their military effectiveness.

Nuclear Test Ban Treaty

27. **Mr. Llew Smith:** To ask the Secretary of State for Defence what is his Department's policy concerning the negotiation of a comprehensive nuclear test ban treaty. [22334]

Mr. Arbuthnot: We are negotiating in good faith a comprehensive test ban treaty with the aim of establishing an effectively verifiable treaty commanding universal adherence as soon as practicable.

Equal Opportunities

Ms Church: To ask the Secretary of State for Defence what steps he is taking to ensure equal opportunity for women in the armed forces. [22305]

Mr. Soames: There are very few roles in the services which are closed to women and the armed forces are committed to ensuring equality of opportunity for women, consistent with the need to maintain combat effectiveness.

Departmental Contractors and Suppliers

Mr. MacShane: To ask the Secretary of State for Defence what measures his Department is taking to ensure that its contractors and suppliers *(a)* pay their employees a wage which ensures such employees do not need supplementary welfare payments via various state benefits and *(b)* meet workplace health and safety regulations; and if he will make a statement. [21457]

Mr. Arbuthnot: Terms and conditions of employment, including wages, are a matter between the contractor or supplier and his employees, subject of course to any relevant legal requirements. Compliance with health and safety regulations is a legal requirement for the contractor or supplier. My Department has a corresponding obligation to notify contractors if work to be performed involves the use of dangerous articles of substances.

Parliamentary Questions

Mr. Donohoe: To ask the Secretary of State for Defence what was the total cost of answering parliamentary questions in each parliamentary Session since 1989–90. [22899]

Mr. Arbuthnot: My Department does not collect this information.

Supermarine Spitfire Aircraft

Mr. Redmond: To ask the Secretary of State for Defence what action his Department intends to take to celebrate the diamond jubilee of the first flight of the Supermarine Spitfire aircraft; and if he will make a statement. [23071]

Mr. Soames: In response to requests from event organisers, RAF aircraft, principally from the Battle of Britain Memorial Flight, are involved in a number of civil events marking the historic achievement of the first flight of the Vickers Supermarine Spitfire.

Guatemala (Training)

Mrs. Anne Campbell: To ask the Secretary of State for Defence what involvement his Department has had in the military training of Guatemalan Government armed forces in Guatemala. [23193]

Mr. Soames: We have had no involvement in the military training of Guatemalan armed forces in Guatemala, but have provided assistance with English language training.

Exercise Arid Thunder

Mr. Redmond: To ask the Secretary of State for Defence what nation was the sponsor of the Arid Thunder exercise. [23441]

Mr. Soames: The United Kingdom sponsored Exercise Arid Thunder 95–96.

Mr. Redmond: To ask the Secretary of State for Defence how many sorties were flown by each squadron involved in Exercise Arid Thunder; and how many *(a)* BL755 and *(b)* other weapons were dropped by each squadron during the exercise. [23538]

Mr. Soames: The number of sorties flown and BL755, 3 kg and 14 kg practice bombs dropped during Exercise Arid Thunder, by squadron, was as follows:

Unit	*Sorties*	*BL755*	*3 Kg PB*	*14 Kg PB*
13 Squadron	93	139	50	—
14 Squadron	95	140	—	22
17 Squadron	131	137	75	30
617 Squadron	115	140	37	38

Tornado Aircrew (Live Weapons)

Mr. Redmond: To ask the Secretary of State for Defence how many live BL755 weapons RAF Tornado aircrew are required to drop each year in order to maintain combat-ready status. [23449]

Mr. Soames: There is no specified number of live BL755 weapons which Tornado aircrew are required to drop in order to maintain combat-ready status.

Remotely Piloted Vehicle (Llanbedr)

Mr. Redmond: To ask the Secretary of State for Defence if the remotely piloted vehicle authorised to fly in the Llanbedr danger area on 6 January 1995 was recovered; and what were the times of take-off and landing of the aircraft. [23439]

Mr. Arbuthnot: This is a matter for the Defence Evaluation and Research Agency under its framework document. I have asked the chief executive, to write to the hon. Member.

Letter from John Chisholm to Mr. Martin Redmond, dated 2 April 1996:

The Secretary of State for Defence has asked me to reply to your question about a remotely piloted vehicle flight in the Llanbedr danger area on 6 January 1995. Llanbedr is a Defence Test and Evaluation Organisation (DTEO) site and hence part of the Defence Evaluation and Research Agency (DERA).

The Jindivik remotely piloted aerial target launched from the DTEO site at Llanbedr on 6 January 1995 was recovered; its take-off time was 1024 hours and its landing time was 1055 hours.

I hope this is helpful.

Submarine Flotilla

Sir Jim Spicer: To ask the Secretary of State for Defence what arrangements are in place for the support of the submarine flotilla. [23447]

Mr. Arbuthnot: Since the announcement in October 1993 of the Government's intention to sell the royal dockyards, a series of separate negotiations has been conducted with Babcock International Group for the proposed sale of Rosyth Royal Dockyard plc and with Devonport Management Limited for the proposed sale of Devonport Royal Dockyard plc. Negotiations have also proceeded with DML on the related issue of the construction of facilities at Devonport for the refitting and refuelling of nuclear submarines, project D154.

I am pleased to say that, today, my Department signed two heads of agreement with DML and its shareholders. The first, in respect of the proposed sale of DRD plc, covers the general principles which would apply to a sale agreement. The second, for the provision of nuclear refuelling and refitting facilities at Devonport, places on the contractor whose project manager will be Brown and Root (UK) Ltd., the responsibility for delivery of facilities that are licensable, operable and fit for purpose, whilst providing ample opportunity for industry to compete for work at the sub-contract level. A key issue in the negotiations has been the risk transfer and the contractor has accepted to bear an unprecedented proportion of the risk. The agreements must now be converted into binding contracts.

My Department is today issuing a memorandum of information to the trade unions about the position as regards the future management arrangements for Devonport Royal Dockyard, and will then initiate a formal process of information and consultation.

Negotiations are at an advanced stage with Babcock International Group on the proposed sale of Rosyth Royal Dockyard plc. The outcome will be announced as soon as possible. Short-term extensions to the current contracts in operation at both Rosyth and Devonport dockyards, which would otherwise expire on 5 April 1996, are being arranged to cover the period of further negotiations. The Government have confirmed, subject to reasonable prices, a programme of refitting work for Rosyth for Royal Navy vessels stretching to the year 2006, and to include two aircraft carriers and a substantial number of other major war vessels.

Cyprus

Mr. John. D. Taylor: To ask the Secretary of State for Defence how many *(a)* Greek Cypriots and *(b)* Turkish Cypriots are employed at each of the two United Kingdom sovereign bases in Cyprus. [23681]

Mr. Soames: As at 29 February, there were 1,240 Greek Cypriots and no Turkish Cypriots employed in the western sovereign base area. In the eastern sovereign base area, there were 577 Greek Cypriots and 306 Turkish Cypriots employed.

Auxiliary Oil Tankers

Mr. Colvin: To ask the Secretary of State for Defence when he expects to place contracts for new auxiliary oil tankers; when the ships are intended to enter service; what

specification is planned in terms of speed and endurance; how many helicopters will be carried; whether the ships will carry dry stores or weaponry; what order of cost is envisaged; what consideration was given to the use of the private finance initiative; and if he will make a statement. [23582]

Mr. Arbuthnot: An invitation to tender was issued on 2 February 1996 for up to two auxiliary oilers for order around the turn of the year. The first vessel is expected to enter service in early 2001. The specification will meet the latest environmental safety standards and provide a capability for replenishment of warships with fuel and a limited range of solid stores while under way and the operation of a single Merlin-sized helicopter. A speed in excess of 18 kts is required and the ship will possess a limited self-defence capability to allow it to operate with front-line naval forces in peace and war; it will also be able to receive the Phalanx close-in weapons system. The private finance initiative was judged to be inappropriate for the operational role envisaged for these ships. Costs cannot be provided as they are commercial-in-confidence at this stage in the competition.

Tornado Accident (Germany)

Mr. Redmond: To ask the Secretary of State for Defence at what height above ground level the Tornado involved in an accident in Germany on 10 May 1991 was found to have been flying at the commencement of the manoeuvres which led to control loss. [23440]

Mr. Soames: The aircraft's final manoeuvre was a level turn, which it entered at a height of 1,075 ft above ground level.

Weapons Ranges

Mr. Redmond: To ask the Secretary of State for Defence if he will list those weapons ranges in the United Kingdom where delivery of live BL755 weapons is authorised. [23448]

Mr. Soames: No RAF weapons ranges in the United Kingdom are cleared for the delivery of live BL755 munitions, although the Defence Test and Evaluation Organisation's range at West Freugh is cleared for the release of BL755 for trials purposes.

Gas Pipeline

Mr. Foulkes: To ask the Secretary of State for Defence if he will make a statement on the sequence of events and the meetings and correspondence which preceded Premier Transco digging the Scotland-Northern Ireland gas pipeline in 1995. [23984]

Mr. Soames: I refer the hon. Member to my answer of 6 February 1996, *Official Report*, columns *121–23*.

Key Personnel (Travel)

Mr. Allason: To ask the Secretary of State for Defence what is his policy regarding the air transport of key personnel travelling together to minimise the risk of loss. [24129]

Mr. Soames: Our policy remains that a judgment must be made in each case to assess the very remote possibility of a flying accident against the operational and other advantages that this form of travel provides.

Munitions Dumping (Solent)

Mr. Foulkes: To ask the Secretary of State for Defence, pursuant to his answer of 12 March 1996, *Official Report*, column *512*, if he will place in the Library documents which relate to the dumping of surplus munitions in St. Catherine's Deep off the Isle of Wight or other small-scale munitions dumps in the Solent. [23982]

Mr. Soames: No. Complete records of munitions disposal are no longer available and St. Catherine's Deep, although shown on hydrographic charts, may have had only limited or emergency use, if at all. There is no surviving evidence of other munitions dumps in the Solent.

Mr. Foulkes: To ask the Secretary of State for Defence if he will survey the St. Catherine's munitions dump for reasons of public safety. [23983]

Mr. Soames: There are no plans to survey St. Catherine's Deep. Current scientific evidence indicates that munitions dump sites present no significant risk to safety, human health or the marine environment, if left undisturbed.

Bedenham Jetty

Mr. Foulkes: To ask the Secretary of State for Defence, pursuant to his answer of 12 March, *Official Report*, columns *510–11*, if he will list the purposes for which Bedenham jetty was used after 1966. [24220]

Mr. Soames: Bedenham jetty has been, and continues to be, used to transfer armament stores between the storage and maintenance depot Gosport to RN ships, the Royal Fleet Auxiliary and between other armament depots by naval armament vessels.

Defence Export Services Organisation

Mrs. Clwyd: To ask the Secretary of State for Defence if he will list *(a)* the current offset adviser and international finance adviser at Defence Export Services Organisation, *(b)* the companies from which they are seconded, *(c)* the duration of their appointments and *(d)* the bonuses to which they are entitled. [24078]

Mr. Arbuthnot: The current offset adviser is Mr. Barry Teidman, a civil servant and not a secondee. The international finance adviser, Mr. Miles Faulkner is a fixed-term appointee and is also not a secondee but his previous company was Trafalgar House. Mr. Faulker was originally appointed on 1 April 1992 and his appointment has been extended until 31 March 1997. Both are eligible for any performance-related pay awards which may be agreed for their grades, but no specific bonuses are attached to the posts.

Mrs. Clwyd: To ask the Secretary of State for Defence what is the net cost of the Defence Export Services Organisation in each year from 1988 to the present. [24079]

Mr. Arbuthnot: The net cost of the Defence Export Services Organisation for each year from 1988 was as follows:

Year	*Net cost of DESO £ million*
1988–89	(12.23)
1989–90	(15.99)
1990–91	(17.63)
1991–92	11.05
1992–93	11.89
1993–94	16.02
1994–95	10.94
1995–96 (estimated)	16.81

In the years 1988–89 to 1990–91, receipts exceeded costs because the proceeds from sales of surplus equipment were not disagregated to the services concerned.

Permanent Secretary (Visits)

Mr. Cousins: To ask the Secretary of State for Defence if he will list the visits outside Britain made by the permanent secretary to his Department on official business within the last 12 months indicating the date and purpose of the visit in each case. [24191]

Mr. Arbuthnot: Since 1 April 1995 the permanent under-secretary of my Department has made the following overseas visits:

Date	*Country*	*Purpose*
28–30 April 1995	Germany (Munich)	Attend conference organised by the Ditchley Foundation
29 August–3 September 1995	Malaysia (Kuala Lumpur)	Commonwealth Association for Public Administration and Management (CAPAM) followed by conference
19–20 October 1995	Belgium (Brussels)	Visit to UK Delegation and International staff at NATO HQ
14–15 January 1996	Germany (Oberammergau)	Keynote address to NATO Defence Planning symposium
2–4 February 1996	Germany (Munich)	Attend Wehrkunde conference on security issues
2–7 March 1996	Pakistan (Islamabad)	Co-chair inaugural meeting of the UK/Pakistan Defence Cooperation Forum
14–15 March 1996	Bosnia/Croatia	Visit to UK personnel deployed with IFOR

War Memorials

Rev. Martin Smyth: To ask the Secretary of State for Defence if the names of service personnel killed in Northern Ireland can be placed on local war memorials in Great Britain. [24370]

Mr. Soames: My Department has no objections to the names of service personnel killed in Northern Ireland being inscribed on dedicated memorials.

Departmental Purchases

Mr. Colvin: To ask the Secretary of State for Defence for what reasons the Army has a very urgent requirement for 55,500 rounds of 30 mm AFV TP-T (Practice) L18A2 ammunition as listed as future purchase number ART 2A/10 in MOD contracts bulletin volume 10, number 112 dated 21 February; and if he will make a statement. [22256]

Mr. Arbuthnot: The annual training requirement for the 30mm AFV TP-T practice round was expected to reduce following the introduction of the new discarding sabot reduced range round in 1995–96. Changes in the production timetable of the DSRR have resulted in the need to train with the TP-T round instead and, therefore, to replenish stocks earlier than expected.

Mr. Colvin: To ask the Secretary of State for Defence for which forces there is a requirement for eight electronic support measure/direction finding stations as listed as tender number ISIS2A/017 in MOD contracts bulletin, volume 10, number 12, dated 21 February; and if this requirement is to replace existing equipment. [22257]

Mr. Arbuthnot: The requirement for the equipment specified in tender number ISIS2A/017 in MOD contracts bulletin, volume 10, number 12 dated 21 February, is to support the Army's activities in Bosnia as part of the NATO implementation force. The equipment to be provided is intended to meet the operation requirements of the deployment to Bosnia and is not intended to replace any existing Army equipment.

Future Attack Submarine

Mr. Colvin: To ask the Secretary of State for Defence on what assumption for an in-service date for the future attack submarine tender number NSM13C/60167 in MOD contracts bulletin, volume 10, number 12, dated 21 February was issued in respect of pre-feasibility concept studies for the combat system. [22258]

Mr. Arbuthnot: The future attack submarine, currently the subject of concept studies, is intended to replace the Trafalgar class submarines early in the next century.

Matrix Churchill Trial

Mr. Dalyell: To ask the Secretary of State for Defence what discussion he had with Alan Moses QC before the collapse of the Matrix Churchill trial. [22392]

Mr. Arbuthnot: None. Mr. Moses's only contact with the Department was in order to review MOD papers which may have been relevant to the case. Details are set out in Sir Richard Scott's report.

Regulations

Mr. Steen: To ask the Secretary of State for Defence which of the 1,000 regulations identified for repeal or amendment by the Prime Minister are the responsibility of his Department; of those which *(a)* have been repealed or amended and *(b)* are planned to have been repealed or

amended by the end of the 1995–96 parliamentary Session; and if he will list those whose repeal has saved business more than £1 million per annum. [23651]

Mr. Arbuthnot: The MOD is not a regulator of business and has not therefore identified any such regulations. My Department continues to play a full role in the deregulation initiative by focusing efforts on relieving unnecessary administrative burdens on suppliers, streamlining contracts procedures, and improving communications with industry.

Quantock School

Mr. Jamieson: To ask the Secretary of State for Defence, pursuant to his answer of 18 December, *Official Report*, column *982*, if he will make a statement about the review of pastoral care arrangements at Quantock school carried out by the Service Children's Education Authority; if he will place a copy of its findings in the Library; and what arrangements have been made to convey the findings of the SCEA to parents of service children at the school. [24206]

Mr. Soames: Two Office for Standards in Education-qualified SCEA staff visited Quantock school on 21 February 1996. Based upon their observations, it is SCEA's view that pastoral and guidance arrangements at Quantock school are entirely adequate with no obvious areas of concern. SCEA will continue to advise service parents in the normal way that Quantock school is suitable for attendance by service children.

SCEA staff visit independent schools by invitation to assess pastoral care arrangements for service children; they have no statutory right of access. Visit reports are therefore written on the understanding that they remain for internal use only.

Dental Charges

Mr. Mans: To ask the Secretary of State for Defence if he will make a statement about the introduction of dental charges for civilian staff, their dependants and the dependants of service men overseas. [24544]

Mr. Soames: We intend to bring practice in regard to dental charges overseas into line with that in the United Kingdom. Hence we have decided to introduce, with effect from 1 June, charges for dental treatment provided by overseas service dental establishments and by civilian practices in overseas locations without service facilities, to UK-based civilian staff, their dependants, and the dependants of service personnel. Charges will be in line with those fees currently charged to NHS patients in the United Kingdom. Normal exemption rules will apply. Additionally, dependants of gurkhas serving in Hong Kong will be exempt from these charges, as will service dependants who are serving and residing in Hong Kong, and UK-based civilians and their dependants who are also serving and residing in Hong Kong.

Service Personnel (Pay)

Mr. Harry Greenway: To ask the Secretary of State for Defence what are the current levels of pay for both the highest and lowest paid service personnel; what were the rates in real terms in May 1979; and if he will make a statement. [22608]

Mr. Soames: The rates of pay for the highest and lowest paid personnel for May 1979 and April 1996 are as follows:

	May 1979	*1 April 1996*
Five-star (Field Marshal etc.)	24,936.00	124,640.20
Junior entrant (under 17)	1,766.60	5,438.50

In the period since May 1979, the retail prices index, which is the recognised comparator for real-terms pay increases, has increased by 177.9 per cent. Meanwhile, pay for the most senior officer has risen by 399.8 per cent. whereas pay for junior service personnel has increased by 207.9 per cent. These figures indicate that all service personnel, including junior entrants who have yet to attain adult status, are now better off when compared with the RPI, than they were in 1979.

TREASURY

Goods and Services

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer if he will list the rate of return on *(a)* manufacturing in the United Kingdom and *(b)* other industrial and commercial enterprises producing goods and services in the United Kingdom for each year since 1970. [22961]

Mrs. Angela Knight: Information on United Kingdom rates of return for *(a)* manufacturing industrial and commercial companies and *(b)* all industrial and commercial companies is available from the Office of National Statistics' central shared database and is published in the ONS's first release (95)136, "Profitability of UK companies". This is available from the Library of the House.

VAT (Political Parties)

Mr. Redmond: To ask the Chancellor of the Exchequer how many Customs and Excise investigations there have been during each of the last five years, and this year to date into the VAT returns made by *(a)* the Conservative research department and *(b)* the Labour research department. [23130]

Mr. Heathcoat-Amory: Under Customs care and management of the tax and their duty of confidentiality, it is not the policy of the Department to divulge information of this kind relating to individual registered entities.

Deregulation

Mr. Steen: To ask the Chancellor of the Exchequer (1) how many appeals mechanisms, as laid out in section 6 of the Deregulation and Contracting Out Act 1994, he expects to establish by the end of 1996; how many staff each appeals system will employ; and what their estimated annual running costs will be; [23611]

(2) which of the 1,000 regulations identified for appeal or amendment by the Prime Minister are the responsibility of his Department; of those which *(a)* have been repealed or amended and *(b)* are planned to have been repealed or

amended by the end of the 1995–96 parliamentary Session; and if he will list those whose repeal has saved business more than £1 million per annum. [23644]

Mr. Jack *[holding answer 1 April 1996]:* I refer to the answer that my right hon. Friend the Chancellor of the Duchy of Lancaster gave to my hon. Friend on 1 April 1996, *Official Report,* column *18.*

Mr. Steen: To ask the Chancellor of the Exchequer, pursuant to the oral answer of the Chancellor of the Duchy of Lancaster to the hon. Member for Colchester, North (Mr. Jenkin) on 26 February, *Official Report*, column 576, if he will list those statutory instruments and Acts of Parliament which have been gold plated in the past five years; and what steps he is taking to amend or repeal each piece of gold plating on existing legislation. [23629]

Mr. Jack *[holding answer 1 April 1996]:* The Government's policy is not to add unnecessary burdens when implementing EC directives. Departments take every opportunity to review existing legislation in the light of this. Officials are currently working on revised guidance to enable Ministers to see where implementing legislation goes beyond the underlying directive.

Unemployment

Mr. Dunn: To ask the Chancellor of the Exchequer what is the percentage and number of unemployed in each EU country at the latest date for which figures are available. [24029]

Mrs. Angela Knight: Information on both the level and rate of unemployment in each EU country can be found in labour force survey results, published by the statistical office of the European Community—SOEC. Unpublished data relating to 1994 are given in the table below. More up-to-date estimates of the rate of International Labour Organisation unemployment, not the level, in each country can be found in the SOEC's monthly "Unemployment Bulletin" which is available in the House of Commons Library; the estimates for December 1995 are shown in the table.

ILO unemployment numbers and rates in EU countries

	December 1995[1] *Rate(Per cent.)*	*Spring 1994*[2] *Number(000)*	*Rate(Per cent.)*
Spain[1]	22.2	3,760	24.3
Finland	17.0	—	—
Ireland	14.6	206	14.6
Italy	12.6	2,560	11.3
France	11.6	3,149	12.7
Belgium	10.3	400	9.6
Sweden	9.7	—	—
Greece	9.4	368	8.9
Germany	8.6	3,427	8.7
United Kingdom	8.6	2,741	9.7
Portugal	7.3	319	6.7
Netherlands	6.7	517	7.2
Denmark	6.1	222	8.0
Luxembourg	4.0	6	3.5
EU total	10.9	17,676	11.4

Sources:

[1] SOEC monthly unemployment bulletin. All figures refer to December 1995 except the Netherlands (Nov 1995) and Greece (July 1994). Figures for Austria are not available.

[2] SOEC labour force survey results. Figures refer to the results of the spring labour force survey in the listed countries.

Manufacturing Exports

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer if he will publish the unit value of United Kingdom exports of manufactures for each quarter since 1974, the weighted average unit values for the main manufacturing countries less the United Kingdom and the index of United Kingdom competitiveness measured against those countries. [22966]

Mr. Oppenheim: I have been asked to reply.

Where available, the unit value indices data are published in the "Monthly Review of External Trade Statistics". A measure of relative export prices is published in table 2.15 of "Economic Trends". Both publications are available on the central shared database, which can be accessed from the Library of the House.

PRIME MINISTER

Intergovernmental Conference

Mr. Llew Smith: To ask the Prime Minister what proposals Her Majesty's Government plan to introduce to the intergovernmental conference on openness; what response has been made to the Swedish Government's proposals for right of access to official documents; and if he will place in the Library a copy of all proposals submitted by EU member state Governments and received by him to the IGC on openness. [23818]

The Prime Minister: We are committed to greater openness in the European Union and have already supported a number of proposals to achieve this. We are considering our policy on openness in the intergovernmental conference, including how to respond to the Swedish ideas for a treaty right of access to official documents. We have already placed in the Library material from other Governments setting out their policy at the intergovernmental conference, including on openness.

Engagements

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Tuesday 2 April. [22607]

Mr. Harry Greenway: To ask the Prime Minister if he will list his official engagements for Tuesday 2 April. [22609]

The Prime Minister: This morning, I had meetings with ministerial colleagues and others. In addition to my duties in this House, I shall be having further meetings later today.

No. 10 Downing Street (Receptions)

Mr. Hall: To ask the Prime Minister if he will list the dates on which the receptions were held for *(a)* the 45th winter ball and *(b)* the 46th winter ball. [24272]

The Prime Minister: A reception was held at No. 10 Downing street for the 45th winter ball on 7 November 1994.

The reception for the 46th winter ball was not held at No. 10 Downing street.

Mr. Hall: To ask the Prime Minister if he will list all the functions and the dates on which they took place which were held at No. 10 Downing street since November 1990 where the costs have been met by *(a)* the winter ball, *(b)* the City and Industrial Liaison Council and *(c)* any of the regional industrialists councils which raise funds on behalf of the Conservative party. [24271]

The Prime Minister: Two functions have taken place where the costs were met by the winter ball. These were on 8 December 1993 and 7 November 1994. There have been no functions where the costs have been met by the City and Industrial Liaison Council or any of the regional industrialists councils which raise funds on behalf of the Conservative party.

Intelligence and Security (Committee Report)

Mr. Dalyell: To ask the Prime Minister (1) what action he proposes to take on concerns prompted by the Ames case and tainted intelligence referred to in paragraph 32 of the Intelligence and Security Committee report, Cm 3198; [24294]

(2) pursuant to paragraph 35, what action he proposes to take on significant lapses in the procedures for the briefing of Ministers as referred to in paragraph 32 of the Intelligence and Security Committee report, Cm 3198. [24295]

The Prime Minister: I refer the hon. Member to my letter of reply to the chairman of the Intelligence and Security Committee at the front of the report in which I said:

"In the light of what your report said about the Ames case, and as you suggested at our meeting, I have myself reviewed the evidence given to you. I feel satisfied that Ministers were adequately briefed on this case and that, on the evidence so far available, damage to United Kingdom interests was not great. But these are serious issues and I look forward to seeing your conclusions following your further investigations into these matters."

HOME DEPARTMENT

Deregulation

Mr. Steen: To ask the Secretary of State for the Home Department how many appeals mechanisms, as laid out in section 6 of the Deregulation and Contracting Out Act 1994, he expects to establish by the end of 1996; how many staff each appeals system will employ; and what their estimated annual running costs will be. [23612]

Mr. Howard *[holding answer 1 April 1996]:* I refer my hon. Friend to the answer given by my right hon. Friend the Chancellor of the Duchy of Lancaster on 1 April, *Official Report*, column *18*.

Banned Drugs

Mr. Hawksley: To ask the Secretary of State for the Home Department if he will add gamma hydroxy butyrate to the list of banned drugs. [21963]

Mr. Sackville *[holding answer 21 March 1996]:* This substance is not currently under the control of the Misuse of Drugs Act 1971, but I am asking the Advisory Council on the Misuse of Drugs to give the matter further consideration.

British Citizenship

Mr. Allason: To ask the Secretary of State for the Home Department what forms of political extremism are taken into account when applications for British citizenship are considered. [23843]

Mr. Kirkhope: In cases where the grant of British citizenship is discretionary, all aspects of an applicant's activities that might be relevant to the requirement that he is of good character are taken into account.

Prisoners (Mandatory Drug Testing)

Mr. Llwyd: To ask the Secretary of State for the Home Department how many prisoners over the last 12 months have tested positive for using class C drugs as a result of mandatory drug testing; and if he will make a statement. [23828]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Elfyn Llwyd, dated 2 April 1996:

The Home Secretary has asked me to reply to your recent Question regarding the number of prisoners who have tested positive for using class C drugs in the last 12 months.

Between February 1995 and January 1996 there were 186 random test results positive for benzodiazepines, the group of class C drugs for which tests are made. Results for February 1996 are not yet available.

Mr. Llwyd: To ask the Secretary of State for the Home Department how many prisoners over the last 12 months have tested positive for using class B drugs as a result of mandatory drug testing in *(a)* England and *(b)* Wales; and if he will make a statement. [23710]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Elfyn Llwyd, dated 2 April 1996:

The Home Secretary has asked me to reply to your recent Question about the number of prisoners who have tested positive for using class B drugs in England and Wales during the last 12 months.

In English prisons, between February 1995 and January 1996, there were 2400 random test results positive for cannabis, amphetamines and barbiturates, the class B drugs tested for. The two Welsh prisons which began testing in December have had 17 positive random test results for class B drugs. Results for February 1996 are not yet available.

Doncaster Prison

Mr George Howarth: To ask the Secretary of State for the Home Department (1) what negotiations have taken place between Premier Prison Services Ltd. and the Prison Service since the contract was signed, to alter *(a)* the catchment areas and *(b)* the courts from which prisoners are drawn; what decisions were made as a result of those negotiations; and on what dates; [23243]

(2) to alter the terms under which particular prisoners can be transferred out of Doncaster; how many prisoners have been transferred under renegotiated terms; for what reason; and on what dates. [23244]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mr. George Howarth, dated 2 April 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Questions about what negotiations have taken place between Premier Prison Services Ltd and the Prison Service since the contract was signed to alter (a) the catchment areas; (b) the courts from which prisoners are drawn; and (c) the terms under which particular prisoners can be transferred out of Doncaster. You also asked what decisions were made as a result of those negotiations and how many prisoners have been transferred under renegotiated terms; for what reason and on what dates.

There have been no negotiations and no change to the catchment area and therefore no change to the courts from which prisoners are drawn.

No change has been made to the transfer arrangements. Doncaster prison is a local prison and its function, as with other local prisons, is to hold prisoners who are remanded into custody and to ensure they are taken to courts in the catchment area for trial purposes. After conviction and sentence Doncaster prisoners, in common with other similar prisoners held in local prisons, are allocated to a training prison establishment, as vacancies arise.

Mr. Howarth: To ask the Secretary of State for the Home Department what was the complement of full-time and part-time staff by grade employed at Her Majesty's prison, Doncaster on the first day of every month since December 1995; what proportion of the staff costs were met by the Prison Service under the terms of the contract with Premier Prison Services Ltd; and what proportion were met by the company. [23241]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Person to Mr. George Howarth, dated 2 April 1995:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the complement of staff at Doncaster prison.

The table below shows the complement of full-time and part-time staff (excluding sub-contractors) employed at Doncaster prison on the first day of each month since December 1995.

With the exception of the three Prison Service personnel at Doncaster prison, all staff (excluding sub-contractors) are employed by Premier Prison Services Ltd and funded through the contract fee paid by the Prison Service for the management of Doncaster prison. The deployment of these staff by grade is a matter for the company.

Month	*Full-time staff*	*Part-time staff*
December 1995	449	14
January 1996	449	18
February 1996	449	18
March 1996	449	18

Mr. Howarth: To ask the Secretary of State for the Home Department what was the complement of full-time and part-time staff employed at Her Majesty's prison, Doncaster on 20 June 1994; and what was the complement of full and part-time staff by grade on 20 March. [23242]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. George Howarth, dated 2 April 1995:

The Home Secretary has asked me to reply to your recent Question about staffing levels at Doncaster prison on 20 June 1994 and 20 March 1996. The complement of full and part-time staff at Doncaster prison was as follows:

Date	*Full-time staff*	*Part-time staff*
20 June 1994	356	0
20 March 1996	449	18

The grading of staff is commercial-in-confidence under the terms of the relevant contract.

Police Funding

Mr. Alex Carlile: To ask the Secretary of State for the Home Department what account *(a)* the present and *(b)* the planned future funding formulas for the police take of levels of unemployment; and if he will make a statement. [23114]

Mr. Maclean: Police funding is distributed by means of a population-based formula. In common with the formulae for other locally delivered services, the police funding formula also takes account of a number of socio-demographic variables including unemployment. In both 1995–96 and 1996–97, less than 1 per cent. of police funding will be redistributed on the basis of unemployment indicators.

Special Constables

Sir Michael Shersby: To ask the Secretary of State for the Home Department if he will call for a report from the Commissioner of Police of the Metropolis on the number of special constables in each division; and how many hours have been worked by them each month during the most recent 12-month period for which figures are available. [23160]

Mr. Maclean: I understand from the Commissioner of Police of the Metropolis that it is not possible to break down the figures for hours worked into monthly periods. For April 1994 to March 1995, the latest period for which the total figure is available, special constables in the Metropolitan police worked a total of 407,102 hours. The number of special constables on each division is given in the table.

Division	*Number of Specials*
1 Area	
Belgravia	5
Notting Hill	7
Brompton	21
West End Central	31
Charing Cross	30
Paddington	11
Marylebone	11

Division	Number of Specials
Fulham	10
Hammersmith	27
Area Headquarters	3
Total	156
Male	109
Female	47
2 Area	
Golders Green	24
West Hendon	29
Barnet and Hertsmere	42
Wembley	23
Kilburn	15
Harrow	59
Ealing	29
Southall	15
Tottenham	17
Hornsey	17
Islington	16
Holloway	16
Kentish Town	14
Holborn	13
Hampstead	11
Area Headquarters	2
Total	342
Male	229
Female	113
3 Area	
Enfield	36
Edmonton	45
Chingford	31
Leyton	22
Ilford	40
Barkingside	60
Stoke Newington	11
Shoreditch and Hackney	47
Limehouse	16
Forest Gate	24
Plaistow	27
Havering	56
Dagenham	50
Bethnal Green	32
Area Headquarters	3
Total	500
Male	311
Female	189
4 Area	
Peckham	11
Walworth	8
Southwark	8
Lewisham	22
Catford	15
Bromley and Orpington	66
Greenwich	29
Plumstead	22
Bexleyheath	54
Epsom and Sutton	57
Croydon	47
South Norwood	33
Area Headquarters	4
Total	376
Male	253
Female	123
5 Area	
Brixton	7
Streatham	42
Wimbledon	40
Kingston	58
Twickenham	54
Hounslow	28
Chiswick	16
Spelthorne	20
Heathrow	19
Hillingdon	49
Vauxhall	19
Battersea	24
Wandsworth	36
Wapping	22
Area Headquarters	2
Total	436
Male	270
Female	166

Plus one chief commandant and one deputy chief commandant based at New Scotland Yard.

Police Stations and Houses

Mr. Alex Carlile: To ask the Secretary of State for the Home Department how many *(a)* police stations and *(b)* police houses, per police force there were in each of the last 10 years for which figures are available; and if he will make a statement. [23113]

Mr. Maclean: Information on the number of police stations is not collected centrally. Information on police houses is available only for the last four years and is set out in the table. Further information on the number of police houses is published annually in "Police Statistics" by the Chartered Institute of Public Finance and Accountancy, copies of which may be found in the Library.

Stock of police houses at 31 March 1992–1995

Police authorities	Total stock 31 March 1992	Total stock 31 March 1993	Total stock 31 March 1994	Total stock 31 March 1995
Avon and Somerset	361	350	346	281
Bedfordshire	115	112	107	101
Cambridgeshire	191	250	154	150
Cheshire	145	144	142	141
City of London	74	73	65	63
Cleveland	8	8	7	6
Cumbria	223	222	239	201
Derbyshire	169	144	119	92
Devon and Cornwall	224	206	139	106
Dorset	181	165	159	158

Stock of police houses at 31 March 1992–1995

Police authorities	*Total stock 31 March 1992*	*Total stock 31 March 1993*	*Total stock 31 March 1994*	*Total stock 31 March 1995*
Durham	78	67	53	47
Dyfed-Powys	200	197	187	178
Essex	361	350	353	347
Gloucestershire	174	171	165	150
Greater Manchester	372	357	340	308
Gwent	68	68	52	44
Hampshire	400	385	314	267
Hertfordshire	463	446	433	423
Humberside	135	135	125	118
Kent	484	482	479	478
Lancashire	276	269	256	182
Leicestershire	84	83	72	64
Lincolnshire	133	118	109	85
Merseyside	105	101	86	77
Norfolk	86	84	81	81
Northamptonshire	142	137	135	121
Northumbria	290	289	288	287
North Wales	348	340	276	223
North Yorkshire	352	348	286	249
Nottinghamshire	84	76	74	70
South Wales	266	255	197	153
South Yorkshire	91	87	78	69
Staffordshire	206	179	120	73
Suffolk	139	129	122	96
Surrey	453	452	455	453
Sussex	520	517	510	507
Thames Valley	612	612	611	611
Warwickshire	143	122	135	133
West Mercia	240	206	182	151
West Midlands	421	416	403	399
West Yorkshire	141	135	126	109
Wiltshire	163	162	123	108
Metropolitan police	2,628	2,403	2,181	1,930
Total	12,348	11,852	10,884	9,890

Dangerous Dogs Act 1991

Mr. Hardy: To ask the Secretary of State for the Home Department if he will write to police forces reminding them of the list he has already circulated, compiled by the British Veterinary Association and the Kennel Club, which provides the names of individuals with expert knowledge who may be well equipped to identify dogs which may be suspected as being covered by section 1 of the Dangerous Dogs Act 1991; and what assessment he has made as to whether reference to such individuals could *(a)* save public money and *(b)* reduce distress. [24205]

Mr. Sackville: Guidance on the list of individuals prepared to give advice as to whether a particular dog appears likely to fall within section 1 of the Dangerous Dogs Act 1991 was set out in the Home Office circular issued in February 1994 to all police forces in England and Wales. It remains extant and we have no evidence to suggest that police forces generally are unaware of the guidance contained in the circular.

Decisions from whom to seek advice in this regard is an operational decision for the chief officer of police. Clearly, the early identification of whether a dog is covered by section 1 of the 1991 Act should be of benefit to all concerned in a case.

Prisoners (Transfers)

Mr. Corbett: To ask the Secretary of State for the Home Department (1) if he will now review the effectiveness of the transfer of the convicted prisoners treaty between the United Kingdom and Spain; [24387]

(2) how many British citizens convicted abroad, in countries with whom the United Kingdom has treaties on the transfer of convicted prisoners, have been returned to the United Kingdom to complete their sentences in the last five years, listed by country; [24391]

(3) with which countries Her Majesty's Government have agreed arrangements for the transfer of convicted prisoners to complete their sentences in their country of residence and, by country, the date upon which such arrangements came into effect; [24393]

(4) how many foreign nationals, convicted in courts in England and Wales, have been returned to their country of residence to complete their sentences under the terms of treaties on the transfer of convicted prisoners, in the last five years, broken down by country. [24392]

Miss Widdecombe: Her Majesty's Government are a party to two international agreements allowing for the repatriation of prisoners to serve their sentences in their own countries. The main international agreement is the Council of Europe convention on the transfer of sentenced persons, which was instituted in 1983. At present, there are some 31 other countries that conduct repatriation under this scheme.

There is also a Commonwealth scheme for the transfer of convicted offenders to which five other countries are signatories. The United Kingdom also has bilateral

agreements with Egypt and Thailand. The countries party to these agreements, and the dates on which they came into force for each country, are listed in the table.

Repatriation between the United Kingdom and Spain is governed by the Council of Europe convention on the transfer of sentenced persons and its procedures. There are no plans to review these arrangements.

Council of Europe convention on the transfer of sentenced persons

State	*Commencement*
Austria	1 January 1987
Bahamas	1 March 1992
Belgium	1 December 1990
Bulgaria	1 October 1994
Canada	1 September 1985
Croatia	1 May 1995
Cyprus	1 August 1986
Czech Republic	1 March 1993
Denmark	1 May 1987
Finland	1 May 1987
France	1 July 1985
Germany	1 February 1992
Greece	1 April 1988
Hungary	1 November 1993
Iceland	1 December 1993
Ireland	1 November 1995
Italy	1 October 1989
Luxembourg	1 February 1988
Malta	1 July 1991
Netherlands	1 January 1988
Norway	1 April 1993
Poland	1 March 1995
Portugal	1 October 1993
Slovak Republic	1 January 1993
Slovenia	1 January 1994
Spain	1 July 1985
Sweden	1 July 1985
Switzerland	1 May 1988
Trinidad and Tobago	1 July 1994
Turkey	1 January 1988
Ukraine	1 January 1996
USA	1 July 1985

Commonwealth scheme for the transfer of convicted offenders

State	*Commencement*
Canada	September 1993
Malawi	August 1992
Nigeria	August 1992
Trinidad and Tobago	July 1993
Zimbabwe	December 1991

Bi-lateral agreements with the United Kingdom

State	*Commencement*
Egypt	9 November 1995
Thailand	June 2 1991

The number of prisoners repatriated abroad and the number repatriated to this country in the last five years are given in the following tables.

Prisoners sentenced in the United Kingdom and transferred abroad
Total number of transfers over the past five years: 61

	1991	*1992*	*1993*	*1994*	*1995*
Austria	—	—	—	—	1
Belgium	1	5	5	—	—
Canada	—	2	—	—	6
Cyprus	—	—	—	1	—
France	—	—	—	—	1
Gibraltar	—	—	2	—	—
Holland	4	8	1	4	1
Italy	—	3	1	—	—
Luxembourg	1	—	—	—	—
Spain	1	—	—	—	2
Sweden	—	—	—	—	1
United States	10	—	—	—	—
Total	17	18	9	5	12

Prisoners sentenced abroad, transferred into the United Kingdom
Total number[1] of transfers over the past five years: 53

	1990	*1991*	*1992*	*1993*	*1994*	*1995*
Belgium	—	1	—	—	—	—
Cyprus	—	—	—	1	1	—
Czech Republic	—	—	—	—	1	—
Denmark	—	—	1	1	2	—
Finland	—	1	—	1	1	—
France	—	1	2	—	—	—
Germany	—	—	—	—	2	1
Holland	—	2	—	1	—	1
Spain	—	1	3	—	—	—
Sweden	—	—	1	—	3	1
Switzerland	—	—	—	—	—	1
Thailand	—	—	—	2	1	2
Trinidad and Tobago	—	—	—	—	—	4
United States	—	—	2	5	6	—
Total	0	6	9	11	17	10

[1] Although the majority of those repatriated here are British citizens, the United Kingdom will accept non-citizens who have close family ties in this country and meet immigration requirements. Figures held centrally refer only to the total number of repatriations and do not distinguish between British citizens and non-citizens.

Dr. Hendron: To ask the Secretary of State for the Home Department (1) how many prisoners currently serving prison sentences in Great Britain have requested a transfer to prisons in Northern Ireland or the Irish Republic; [23543]

(2) what is his policy on the transfer of Irish prisoners from gaols in Great Britain to prisons in Northern Ireland. [23544]

Miss Widdecombe: The policy governing the transfer of prisoners between United Kingdom jurisdictions, including those between England and Wales and Northern Ireland, was set out in a statement on 23 November 1992, *Official Report*, column *476*.

Any request by a prisoner in England and Wales, Scotland and Northern Ireland to be transferred to one of the other jurisdictions either permanently, to serve the rest of his or her sentence, or temporarily to foster family ties, will normally be approved, provided that (1) the prisoner would have at least six months left to serve in the receiving jurisdiction before his or her date of release at the time of making the request; (2) the prisoner was

ordinarily resident in the receiving jurisdiction prior to the current sentence; or his or her close family currently reside there and there are reasonable grounds for believing that it is the prisoner's firm intention to take up residence there on release or to receive visits; and (3) both Departments concerned are reasonably satisfied that the prisoner will not, if transferred, disrupt or attempt to disrupt any prison establishment, or otherwise pose an unacceptable risk to security. A request that does not meet these conditions may nevertheless be granted where there are strong compassionate or other compelling grounds for transfer.

A permanent transfer may, however, be refused if it is considered that the prisoner's crimes were so serious as to make it inappropriate that he or she should benefit from a substantial reduction in time left to serve, if that would be a consequence of transfer.

Requests will be considered on an individual basis. To facilitate the orderly movement of small numbers of prisoners between jurisdictions, the timing of each transfer will be subject to operational and security considerations in the sentencing and receiving jurisdictions.

Temporary transfer, where granted, may be for a period of up to 12 months, with requests for extensions of this period considered on a similar basis. Temporarily transferred prisoners will be expected to comply fully with such regime requirements as the receiving Secretary of State may stipulate. Failure to agree to do so either in making the request or after transfer will normally justify refusal of the request or the immediate return of the prisoner to the sentencing jurisdiction.

As of 27 March, 18 requests for transfer to Northern Ireland and 70 requests for repatriation to the Republic of Ireland made by prisoners in England and Wales were under consideration. In addition, three requests for transfer to Northern Ireland made by prisoners in Scotland were under consideration. No requests for repatriation to the Republic of Ireland have been made by prisoners in Scotland.

Euro 96

Mr. Alex Carlile: To ask the Secretary of State for the Home Department if he will make a statement on his Department's preparations for Euro 96. [24264]

Mr. Maclean: The Association of Chief Police Officers has developed plans in conjunction with the National Criminal Intelligence Service, the Football Association, the Home Office, the Department of National Heritage, the Foreign and Commonwealth Office, the Department of Transport, the Football Licensing Authority and the Football Trust. A group comprising representatives of these various bodies meets regularly. Ad hoc discussions with other agencies have also taken place.

There will be a national police co-ordinating centre in central London with links to eight regional centres being set up in the same areas as the football stadiums hosting the matches. Representatives from the police forces of each of the participating nations will be present to assist with dealing with any problems that may arise in respect of the visiting fans.

Key features of these plans include the use of modern technology to transmit images of those involved in any disorder quickly to the regional centres; the use of closed circuit television at the stadiums to contain incidents before they can get out of hand; and the use of police intelligence officers or "spotters" to assist in the identification of known hooligans. Any persons intending to cause disruption will be identified and dealt with swiftly.

A European working group has been established to help with the development of the policing plans. We are confident that, with the great amount of effort being put into this competition, Euro 96 should prove to be an enjoyable and thrilling event for the hundreds of thousands of spectators who are expected.

Football Hooliganism

Mr. Beith: To ask the Secretary of State for the Home Affairs Department if he has asked Europol to assist in the measures to tackle football hooliganism in the EU. [23736]

Mr. Maclean: No. Neither the remit of the Europol drugs unit nor the Europol convention extend to football hooliganism. However, the United Kingdom's good practice guidelines that were adopted by the European Union on 19 March emphasised the importance of European police co-operation and contained measures for promoting this.

Asylum Seekers

Mr. Alton: To ask the Secretary of State for the Home Department how many substantive asylum appeals have been heard since 10 November 1995 involving appellants from (i) Nigeria and (ii) Bosnia in which appeals were allowed by special adjudicators or in which his Department decided to withdraw from the appeal. [23513]

Mr. Kirkhope: Reliable information for the period could be provided only at disproportionate cost.

Mr. Alton: To ask the Secretary of State for the Home Department how many asylum seekers were subject to detention under the Immigration Act 1971 for more than 28 days at any time during 1995. [23514]

Mr. Kirkhope: To provide the information requested would involve disproportionate cost. The most recent available information was given in a reply to a question from the hon. Member for Newcastle upon Tyne, North (Mr. Henderson) on 20 February, *Official Report*, columns 101–102.

Mr. Alton: To ask the Secretary of State for the Home Department how many applications from *(a)* Somalia, *(b)* Afghanistan, *(c)* Iran, *(d)* Iraq, *(e)* Bosnia, *(f)* Croatia and *(g)* the former Yugoslavia are in the backlog of undecided asylum applications in his Department; and how many of these applications from each country have been waiting more than two years for a decision. [23510]

Mr. Kirkhope: An estimated breakdown of those asylum applications awaiting an initial decision as at 31 December 1995, by year of application, is given in the table.

Asylum applications from selected nationalities awaiting an initial decision as at 31 December 1995, by year of application

	Applications outstanding[1]		*Year of application*[1 2]				
			1995	*1994*	*1993*	*1992*	*Pre-1992*
	Number	*Per cent.*	*Per cent.*	*Per cent.*	*Per cent.*	*Per cent.*	*Per cent.*
Afghanistan	550	100	50	15	15	10	10
Former Yugoslavia[3]	5,405	100	15	15	20	45	5
Iran	1,010	100	25	25	15	20	15
Iraq	700	100	35	20	10	15	20
Somalia	2,085	100	50	10	10	10	20
All nationalities	69,650	100	30	20	15	15	20

[1] Provisional figures rounded to the nearest 5.
[2] Approximate estimates rounded to nearest 5 per cent.
[3] Includes Bosnia and Croatia which are not separately identifiable.

Mr. Alton: To ask the Secretary of State for the Home Department how many of the asylum appeals withdrawn in 1993, 1994 and 1995 were *(a)* withdrawn by his Department and *(b)* withdrawn by the appellant; and in how many of the latter cases the appellant had been granted leave to remain on grounds not raised in the appeal. [23512]

Mr. Kirkhope: Fifty asylum appeals were withdrawn in the period August to December 1993—the period in 1993 after the Asylum Act 1995–255 in 1994 and 1,000 in 1995. Information on the reasons for withdrawal could be provided only at disproportionate cost.

Omar Bakri Mohammed Fostok

Mr. Allason: To ask the Secretary of State for the Home Department what representations he has had about the political activities of Omar Bakri Mohammed Fostok born in 1958 in Aleppo, Syria. [23735]

Miss Widdecombe: We have received eight letters about Mr. Omar Bakri Mohammed Fostok. It would be contrary to our normal practice to disclose the details of them.

Immigration Application Forms

Mr. Mark Robinson: To ask the Secretary of State for the Home Department what plans he has to make the use of application forms compulsory for foreign nationals wishing to apply for leave to remain in the United Kingdom. [24591]

Mr. Kirkhope: I have today laid an immigration rules change which will make the use of application forms for a variation of leave to enter or remain compulsory from 3 June. I have placed copies of the forms I have prescribed in the Library. The scheme will not cover applications under European Community law or applications for asylum. The immigration and nationality department has been operating a voluntary trial of application forms since June 1995. Experience of the trial has shown that the forms enable us to provide a more efficient service to genuine applicants at a cheaper cost to the public purse. A more efficient system will also improve the immigration control.

European Common Visa List

Mr. Pickles: To ask the Secretary of State for the Home Department what plans he has to implement the European common visa list. [24592]

Mr. Kirkhope: We have today laid a statement of changes to the immigration rules which implements the European Union common visa list. With effect from 4 April, nationals of Bahrain, the Dominican Republic, Fiji, Guyana, Kuwait, the Maldives, Mauritius, Niger, Papua New Guinea, Peru, Qatar, Suriname, United Arab Emirates and Zambia will require visas to visit the United Kingdom in addition to those countries of whose nationals visas are currently required.

NORTHERN IRELAND

Departmental Expenditure

Mr. Malcolm Bruce: To ask the Secretary of State for Northern Ireland what assessment he has made of the total expenditure of his Department, its agencies and non-departmental public bodies on publicity for each of the years *(a)* 1979–80, *(b)* 1989–90, *(c)* 1991–92, *(d)* 1993–94, *(e)* 1994–95 and *(f)* 1995–96 (i) to date and (ii) as estimated for the whole year; what estimate he has made of such expenditure for 1996–97; and if he will break these figures down to indicate expenditure on (1) advertising and (2) press and public relations. [11400]

Sir John Wheeler *[holding answer 25 January 1996]:* The information requested for the Northern Ireland Office, Northern Ireland Departments and their agencies is listed.

£000

Year	*Advertising*	*Press and public relations*
1979–80	[1]469	[2]282
1989–90	7,863	1,401
1991–92	10,567	1,660
1993–94	7,814	1,898
1994–95	8,088	1,968
1995–96 (to date)	5,263	1,677
1995–96 (estimate)	8,856	2,078
1996–97 (estimate)	[3]8,774	2,186

[1] Expenditure not available from Departments of Economic Development and Agriculture.
[2] Covers expenditure by Departments of Finance and Personnel, Agriculture and Education.
[3] Budget for 1996–97 not yet known in Department of Education.

Information on non-departmental public bodies could be obtained only at disproportionate cost.

Action for Community Employment

Mr. McGrady: To ask the Secretary of State for Northern Ireland what measures will be taken by other Government Departments to make good the shortfall in the ACE budget. [21876]

Mr. Ancram: No specific measures are being taken by other Government Departments at present. However, a transitional package of £2 million to be provided by the Training and Employment Agency for ACE schemes has already been announced which recognises the immediate problems faced by organisations dealing with many of the needy in Northern Ireland and will enable them to make an orderly contraction of their operations.

Prisoners (Transfers)

Mr. Corbett: To ask the Secretary of State for Northern Ireland what are the arrangements by which residents of Northern Ireland, and foreign nationals convicted of criminal offences in Northern Ireland, may apply for transfer to their home countries outside the United Kingdom to complete their sentences; and how many such transfers have been made in each of the last five years. [24390]

Sir John Wheeler: Responsibility for the subject in question has been delegated to the Prison Service under its chief executive, Mr. Alan Shannon. I have asked him to arrange for a reply to be given.

Letter from B. R. D. White to Mr. Robin Corbett, dated 2 April 1996:

In the absence of the Chief Executive, the Secretary of State has asked me to reply to your parliamentary question regarding government policy in respect of the repatriation of prisoners to and from Northern Ireland.

The repatriation of prisoners to and from the United Kingdom is governed by the Repatriation of Prisoners Act 1984. Repatriation may be considered where the country to which application is being made is a signatory to the Council of Europe Convention on the Transfer of Sentenced Persons or to the Commonwealth Scheme for the Transfer of Convicted Offenders or has a bilateral agreement with the United Kingdom.

To be eligible for repatriation a prisoner must have received his final sentence for an offence which is a criminal offence under the law of the receiving country, be a national of that country or have close family ties there and as a general rule have at least six months of his sentence to serve at the time of application. Repatriation requires the consent of both jurisdictions and the prisoner concerned. In considering whether to accept a request for repatriation to another jurisdiction it has been the policy of Her Majesty's Government not to agree to a transfer where such a move would result in a substantial reduction in time left to serve.

In the past five years no prisoner convicted of an offence committed in Northern Ireland has requested to be repatriated to another jurisdiction. No applications for repatriation to Northern Ireland have been received in the same period.

Breast Cancer

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland which of the recommendations of the third report of the Health Committee of Session 1994–95, HC 324, on breast cancer services he has implemented; and what sums he has allocated for further implementation of the recommendations. [23782]

Mr. Moss: Many of the recommendations are being taken forward at national level. Specific recommendations in relation to services have been considered by the cancer working group, which was established to review the current provision of cancer services in Northern Ireland and to make recommendations as to how the services can be improved for all cancer patients. I hope to be in a position to make a statement on this in the near future.

Mr. McCartney: To ask the Secretary of State for Northern Ireland if he will list the figures for breast cancer among women in each range for which figures are collated; and if he will make a statement on the incidence of breast cancer in Northern Ireland relative to other parts of the United Kingdom. [23784]

Mr. Moss: Information on deaths from breast cancer is detailed in the tables. This shows that the death rate is lower in Northern Ireland than in other parts of the United Kingdom.

Annual average deaths from breast cancer by age in Northern Ireland 1989–93

Age	*Average deaths*
25–30	0.4
30–35	3.4
35–40	6.6
40–45	18.0
45–50	21.0
50–55	25.8
55–60	35.4
60–65	37.4
65–70	37.4
70–75	34.4
75–80	35.0
80–85	28.2
85+	32.2
Total	315.2

Deaths from breast cancer (per 100,000 women aged 20 or over)

	1991	*1992*	*1993*
England	69.4	68.1	64.8
Wales	64.9	69.1	70.8
Scotland	63.8	62.2	63.6
Northern Ireland	65.6	59.1	56.6

Mr. McCartney: To ask the Secretary of State for Northern Ireland if he will commission research into the incidence of breast cancer among women who have their first child after age 30 years; if he will arrange for publicity about the incidence; and what proposals he has for preventive monitoring schemes. [23785]

Mr. Moss: There are no plans at present to commission such research. Information about incidence is included in publicity for both the breast screening programme and general health promotion programmes of health and social services boards and trusts. The breast screening programme is continuously monitored in order to maintain and improve its effectiveness.

General Practitioners

Mr. Bayley: To ask the Secretary of State for Northern Ireland what was the whole-time equivalent number of NHS general medical practitioners working in each health and social services board area in Northern Ireland at the latest date for which figures are available. [24385]

Mr. Moss: The information requested is given in the table.

Number (whole-time equivalent) of unrestricted principal general medical practitioners in contract with health and social services boards at 1 March 1996

Health and social services boards	*Unrestricted principals (WTE)*
Eastern	389.25
Northern	221.25
Southern	181.5
Western	167.75
Northern Ireland total	959.75

Government Purchasing Agency

Mr. Nigel Evans: To ask the Secretary of State for Northern Ireland what progress has been made in establishing the Government purchasing service of the Department of Finance and Personnel as a next steps agency. [24593]

Sir John Wheeler: The Government purchasing service of the Department of Finance and Personnel was established as an executive agency on 1 April 1996. It will be known as the Government Purchasing Agency.

I have set a number of key performance targets for the agency to achieve in its first year. These are as follows:

- to achieve total quality through having 100 per cent. of contracts covered by service level agreements established between the agency and its customers meet the standards set out in the White Paper "Setting New Standards—A Strategy for Government Procurement", Cmnd 2840;
- to achieve through cost reduction and cost avoidance methods at least 3 per cent. value for money improvements in procurement spend;
- to achieve a 75 per cent. qualified procurement staff;
- to respond to 85 per cent. of requests for advice on procurement policy within one working day and the remainder within three working days;
- to achieve 100 per cent. of regulated contracts conforming to purchasing regulations as monitored by University of Ulster surveys;
- to complete preparation for trading fund status by end of March 1997; and
- to establish a supplier forum with representatives of small and medium-sized businesses by September 1996, that will ensure initial business participation of at least 30 per cent.

Copies of the framework document, which sets out the terms within which the agency will operate, have been placed in the Library, along with its first corporate and business plan.

Ballycastle-Campbeltown Ferry

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland when the ferry service between Ballycastle and Campbeltown will commence operation; and if he will make a statement. [23817]

Lord James Douglas-Hamilton: I have been asked to reply. The target date for the commencement of the proposed new ferry service, set by the sponsors of the project, Argyll and the Islands Enterprise and Moyle district council, is 1 May 1997, subject to the availability of the terminals at both Campbeltown and Ballycastle. The Government are considering the proposal made by the project sponsors that Caledonian MacBrayne should be allowed to operate the service and fully recognise the need for an early decision on this matter.

ATTORNEY-GENERAL

EDS Computer System

Mr. Redmond: To ask the Attorney-General what savings to date have been made by his Department as a result of out-sourcing arrangements made with the EDS computer system; what assessment he has made of the equivalent costs for carrying out this work in-house; and if he will make a statement. [24231]

The Attorney-General: The departments for which I am responsible have not entered into any arrangements with Electronic Data Systems.

NATIONAL HERITAGE

EDS Computer System

Mr. Redmond: To ask the Secretary of State for National Heritage what out-sourcing contracts her agencies have with the EDS software computer system; what is the current cost; when the contract ends; what are the penalties involved should she seek early termination of the contract; and if she will make a statement. [23742]

Mr. Sproat: The Department of National Heritage and its agencies have no out-sourcing contracts with the EDS software computer system.

Mr. Redmond: To ask the Secretary of State for National Heritage what savings to date have been made by her Department as a result of out-sourcing arrangements made with the EDS computer system; what assessment she has made of the equivalent costs for carrying out this work in-house; and if she will make a statement. [24238]

Mr. Sproat: The Department of National Heritage and its agencies have no out-sourcing contracts with the EDS software computer system.

Royal Palaces

Mr. Alan Williams: To ask the Secretary of State for National Heritage what plans there are to reduce the entitlement of private secretaries and officials in the royal households to residential accommodation in the occupied royal palaces; over what time scale; and how much accommodation will be released and in which palaces. [22103]

Mr. Sproat: It is envisaged that 45 private secretaries and officials in the royal household will no longer be provided with residential accommodation when the present postholders leave or retire; 12 of these occupy the following properties, which are outside the security cordons and can therefore be let commercially or sold. The date when it is assumed that the present occupants will retire are also given:

Date	*Flat/House*	*Property*
1996	1 flat	Royal Mews, Hampton Court
2000	1 house	Royal Paddocks, Hampton Court
	1 house	Old Barracks, Kensington
2002	2 flats	Marlborough House Mews
	1 house	Chantry Close, Windsor
2003	1 flat	Marlborough House Mews
	1 flat	Old Barracks, Kensington
2006	1 flat	Marlborough House Mews
2011	1 flat	Old Barracks, Kensington
	1 house	Royal Paddocks, Hampton Court
2016	1 flat	Cumberland Lodge Mews, Windsor

The 33 properties within the security cordon will not be available for commercial letting or sale. Their future use will be determined when the present postholders leave or retire.

Television Licence Fees

Mr. Llwyd: To ask the Secretary of State for National Heritage how many of those fined for failure to pay television licence fees in Wales have been imprisoned over the last five years; and if he will make a statement. [23192]

Mr. Sproat: The number of people imprisoned by courts in Wales for non-payment of fines for television licence evasion in each of the last five calendar years, is as follows.

1991: 2

1992 21

1993: 51

1994: 49

1995: 61 (provisional figure).

Owing to changes in statistical analysis, earlier year figures may be understated.

Mr. Llwyd: To ask the Secretary of State for National Heritage what was the total cost of prosecuting those fined for failure to pay television licences in *(a)* 1985, *(b)* 1990, *(c)* 1992, *(d)* 1994 and *(e)* 1995; and if he will make a statement. [23185]

Mr. Sproat: The information requested is not available.

National Armouries Collection

Mr. Redmond: To ask the Secretary of State for National Heritage how many staff *(a)* lost their employment and *(b)* started employment in the move of the national armouries collection to Leeds. [23541]

Mr. Sproat: As a result of the move of a large proportion of the Royal Armouries collection to the new museum in Leeds, two staff have been made redundant by the Royal Armouries and a further 12 staff who were offered continued employment in Leeds have declined it. At Leeds, the Royal Armouries has recruited six new permanent staff and its private sector partners have recruited 259 permanent staff. The private sector partners expect to recruit a further 50 seasonal staff this summer.

Concessionary Television Licences

Mr. Rowlands: To ask the Secretary of State for National Heritage if she will list the recent proposals and representations she has received concerning elderly sheltered accommodation which does not currently qualify under the television concessionary licence scheme. [23530]

Mr. Sproat: We receive regular representations about various aspects of the concessionary television licence scheme, both from Members of Parliament and from members of the public. However, no records are held in the form requested.

Tourism (Fire Regulations)

Mr. David Nicholson: To ask the Secretary of State for National Heritage what representations she has had from the English tourist industry regarding the application of the Furniture and Furnishings (Fire) (Safety) Regulations 1988 *(a)* to hotels of all sizes and *(b)* to self-catering accommodation; and if she will make a statement on the reasons for all exceptions in these categories. [23578]

Mr. Sproat: The Furniture and Furnishings (Fire) (Safety) Regulations 1988 are primarily the responsibility of my right hon. Friend the President of the Board of Trade. I have had no representations about the application of the 1988 regulations to hotels. Hotels are subject to the Fire Precautions Act (Hotels and Boarding Houses) Order 1972, made under the Fire Precautions Act 1971.

The 1988 regulations apply to furniture supplied as part of self-catering accommodation let out in the course of a business for holiday or leisure purposes. I have had a number of representations from self-catering tourist accommodation providers, but none during the past 12 months. As a result of representations about the considerable cost of compliance, the Government made, in 1993, an amendment to the 1988 regulations giving self-catering accommodation providers until 31 December 1996 to replace furniture which does not meet the fire resistance requirements, provided that the furniture has already been supplied as part of accommodation previously let.

Sport (Administrative Structure)

Mr. Harry Greenway: To ask the Secretary of State for National Heritage what recent representations she has received about the administrative structure for sport; and if she will make a statement. [22255]

Mr. Sproat *[holding answer 1 April 1996]:* We have received a number of representations, notably from the Sports Council, about its reorganisation into two new councils for England and for the United Kingdom.

Mental Patients (Television Licences)

Mr. Simon Hughes: To ask the Secretary of State for National Heritage what representations she has received on the need to change the regulations concerning television licences for private properties housing mental patients who have been placed there by the local NHS mental health trusts; what plans she has to reconsider these regulations; and if she will make a statement. [23207]

Mr. Sproat *[holding answer 1 April 1996]:* We are not aware of any representations on this subject, nor do we have any plans for changes to the television licensing regulations.

Mr. Hughes: To ask the Secretary of State for National Heritage what proportion of a television licence fee a mental health patient has to pay if *(a)* a resident in accommodation eligible for a residential care television licence and *(b)* housed in a property which fulfils all the requirements necessary for a residential care television licence, but is not directly provided or run by a local authority or housing association. [23208]

Mr. Sproat *[holding answer 1 April 1996]:* As from 1 April 1996, the cost of full fee television licences is £89.50 for colour and £30 for black and white. These full licence fees are payable by mentally disordered persons unless all the qualifying criteria for a £5 residential accommodation care licence are met. These criteria include detailed requirements about how the accommodation is provided or managed. This does not necessarily need to be by a local authority or housing association.

Deregulation

Mr. Steen: To ask the Secretary of State for National Heritage how many appeals mechanisms, as laid out in section 6 of the Deregulation and Contracting Out Act 1994, he expects to establish by the end of 1996; how many staff each appeals system will employ; and what their estimated annual running costs will be. [23618]

Mr. Sproat *[holding answer 1 April 1996]:* I refer my hon. Friend to the reply given on 1 April 1996 *Official Report*, column *18*, by my right hon. Friend the Chancellor of the Duchy of Lancaster.

Mr. Steen: To ask the Secretary of State for National Heritage, pursuant to the oral answer of the Chancellor of the Duchy of Lancaster to the hon. Member for Colchester, North (Mr. Jenkin) on 26 February, *Official Report*, column 576, if she will list those statutory instruments and Acts of Parliament which have been gold plated in the past five years; and what steps she is taking to amend or repeal each piece of gold plating on existing legislation. [23635]

Mr. Sproat *[holding answer 1 April 1996]:* The Government's policy is not to add unnecessary burdens when implementing EC directives. Departments take every opportunity to review existing legislation in the light of this. Officials are currently working on revised guidance to enable Ministers to see where implementing legislation goes beyond the underlying EC directive.

Regulations

Mr. Steen: To ask the Secretary of State for National Heritage which of the 1,000 regulations identified for repeal or amendment by the Prime Minister are the responsibility of his Department; of those which *(a)* have been repealed or amended, and *(b)* are planned to have been repealed or amended by the end of the 1995–96 parliamentary Session; and if she will list those whose repeal has saved business more than £1 million per annum. [23653]

Mr. Sproat: I refer my hon. Friend to the reply given today by my right hon. Friend the Chancellor of the Duchy of Lancaster.

TRANSPORT

Transport Research Laboratory

Mr. Peter Bottomley: To ask the Secretary of State for Transport when he expects to complete the privatisation of the Transport Research Laboratory. [24543]

Mr. Norris: The sale of the Transport Research Laboratory to the Transport Research Foundation for some £6 million was completed on 31 March.

Thameslink 2000

Mr. Duncan Smith: To ask the Secretary of State for Transport, pursuant to his oral statement of 27 February, *Official Report*, columns 723–24, in what ways Thameslink 2000 will enhance access to airports. [24758]

Sir George Young: The statement on 27 February, *Official Report*, columns 723–24, indicated that Thameslink 2000 would enhance access to Stansted and Gatwick airports.

Thameslink 2000 is a project to enhance existing infrastructure and expand the current Thameslink network. The benefits include a significant increase in capacity, a substantial reduction in journey times, the provision of direct access to the City of London from a great number of destinations north and south of London, an interchange with channel tunnel rail link services and with the services of seven train operators and eight London Underground lines, including the Jubilee line extension.

Gatwick airport and Luton airport are both on the Thameslink route and thus are well placed to benefit from the increased opportunities Thameslink 2000 provides. However, access to Stansted airport will not, as the statement suggested, be enhanced by the project. Direct links to Stansted, and to Heathrow, would require additional infrastructure, electrification and junction changes. These are not part of current Thameslink 2000 plans. It would be a matter for Railtrack, its customers and the franchising director to examine the case for such enhancements, and to take worthwhile proposals forward.

Railways (Subsidy)

Mr. Devlin: To ask the Secretary of State for Transport what is the Government's policy on the provision of subsidy for socially necessary passenger railway services. [24759]

Sir George Young: The Government remain firmly committed to providing the subsidy needed to support socially necessary passenger railway services at broadly the present level of service provision. In my instructions to the franchising director, I have made it clear that, when setting passenger service requirements for services being franchised for the first time, he should take as his starting point the service being provided at the time. The passenger service requirements which will be incorporated in franchise agreements will set out the services which franchisees will be contractually committed to operate. The Government are committed to providing support for at least those levels of service.

Light Dues

Mr. Barry Field: To ask the Secretary of State for Transport if he will make a statement on light dues. [24786]

Mr. Norris: I am pleased to announce that light dues for 1996–97 will remain at the level set in April 1993 for the third year in succession. Accordingly, no changes to the light dues regulations are needed.

Once again, I commend the general lighthouse authorities for their continuing commitment to the achievement of greater efficiency in their work.

Crossrail

Dr. Twinn: To ask the Secretary of State for Transport if he will make a statement on the crossrail project. [24760]

Sir George Young: I believe that crossrail has the potential to bring worthwhile benefits to London's transport system. As I indicated in my recent statement to the House on Thameslink 2000, *Official Report*, columns 723-24, I expect crossrail to come after the Jubilee line extension, Thameslink 2000 and the channel tunnel rail link. That is a sensible sequence of major new rail projects for London.

I have therefore asked the chairmen of London Transport, Railtrack and British Rail not to proceed for the time being with an application under the Transport and Works Act 1992 for powers to build crossrail. I have also invited the chairman of Railtrack to consider the project further with his board once Railtrack is in the private sector, in the light of the Government's continued firm policy that crossrail should proceed only as a joint venture with a substantial private sector contribution.

London Regional Transport (Funding)

Mr. Spearing: To ask the Secretary of State for Transport (1) if his proposals for legislation to permit London Regional Transport and its subsidiaries use of the private finance initiative include public notification of *(a)* tenders for any such scheme, *(b)* successful contracts and their financial details and *(c)* maximum period of their operation; [24440]

(2) if, in his proposals for legislation to permit London Regional Transport or its subsidiaries use of the private finance initiative, transfer of ownership to the successful bidders for any scheme or contract, of land, equipment or facilities will be permanent or for the period of the contract only; and if the period of that contract will be made public. [24441]

Mr. Norris: The London Regional Transport Bill does not require London Transport or its subsidiaries to publish information about their projects under the private finance initiative. Invitations to tender will continue to be published where this is a legal requirement. I understand that London Transport will normally announce the award of such contracts, giving an indication of their value and duration where this information is not commercially sensitive.

When a contract ends, assets transferred from London Transport to the contractor at the beginning of the contract will generally be transferred to a new contractor, or will revert back to LT until a new contract can be let. Assets no longer needed by LT may remain with the contractor, and LT already has powers to make such disposals.

Regulations

Mr. Steen: To ask the Secretary of State for Transport which of the 1,000 regulations identified for repeal or amendment by the Prime Minister are the responsibility of his Department; of those which *(a)* have been repealed or amended and *(b)* are planned to have been repealed or amended by the end of the 1995–96 parliamentary Session; and if he will list those whose repeal has saved business more than £1 million per annum. [23649]

Mr. Watts: I refer my hon. Friend to the answer given today by my right hon. Friend the Chancellor of the Duchy of Lancaster.

Sea Empress Incident

Mr. Ainger: To ask the Secretary of State for Transport what has been the cost, calculated to date of *(a)* the salvage operation and *(b)* the clean-up operation onshore and offshore following the Sea Empress grounding on 15 February. [24261]

Mr. Norris: I have asked the chief executive of the Coastguard agency to write to the hon. Member.

Letter from C. J. Harris to Mr. Nick Ainger, dated 2 April 1996:

The Secretary of State for Transport has asked me to reply to your recent Question about costs associated with the Sea Empress grounding on 15 February.

The details of the costs of the salvage operation are not being collated by the MPCU as the bills for the charges which the salvors incurred are being sent directly to them.

The cost of the at-sea clean up to date, which includes the charter of oil skimming and recovery vessels, surveillance and spraying aircraft, dispersant purchase, manpower and the hire of equipment, is £1,845,605. There are still a number of invoices yet to be received.

Beachcleaning operations are still ongoing in a number of locations. To date the MPCU have been invoiced for a total of £1,094,356.

Mr. David Nicholson: To ask the Secretary of State for Transport what attempts were made to remove oil from the Sea Empress in the period after she had grounded; and if he will make a statement. [23579]

Mr. Norris: I have asked the chief executive of the Coastguard agency to write to my hon. Friend.

Letter from C. J. Harris to Mr. David Nicholson, dated 2 April 1996:

The Secretary of State for Transport has asked me to reply to your recent Parliamentary Question about the SEA EMPRESS incident.

Removal of the oil from the SEA EMPRESS while she was in the entrance to Milford Haven was an option which was under continual active consideration. During the incident conditions were rarely suitable for what would have been a difficult and potentially hazardous operation. When the conditions were suitable all effort went into refloating the vessel so that she could be lightened in a safer place.

Mr. Alan W. Williams: To ask the Secretary of State for Transport if he will ask Lord Donaldson to conduct a detailed and independent inquiry into the Sea Empress disaster. [22060]

Mr. Norris: The marine accident investigation branch is conducting a detailed and independent investigation into the cause of the grounding of the Sea Empress and the conduct of the subsequent salvage operations. Assessments are also being undertaken into the environmental effects of the pollution caused by the Sea Empress and into the effectiveness of the clean-up techniques which were employed. Consideration of the need for any further examination of the incident or its effects will be given when the findings and recommendations of the MAIB investigation and the environmental assessment are available.

Rail Safety (Hidden Report)

Mr. Wilson: To ask the Secretary of State for Transport what steps have been taken to ensure the recommendations of the Hidden report are implemented throughout the rail industry. [24259]

Mr. Watts: As the enforcing authority for safety on the railways, the Health and Safety Executive's railway inspectorate monitors closely the implementation of the recommendations contained in Sir Anthony Hidden's report.

A20 Roadworks, Aycliffe

Mr. David Shaw: To ask the Secretary of State for Transport what progress is being made on the completion and tidying up of the A20 roadworks in and around the Aycliffe area; and if he will make a statement on the proposed new car park for residents. [24242]

Mr. Watts: I have asked the chief executive of the Highways Agency to write to my hon. Friend.

Letter from Lawrie Haynes to Mr. David Shaw, dated 2 April 1996:

The Secretary of State for Transport has asked me to reply to your recent question asking what progress is being made on the completion and tidying up of the A20 roadworks in and around the Aycliffe area; and if he will make a statement on the proposed new car park for residents.

The tenders for a contract to complete and tidy up the A20 roadworks were returned on 29 March. We expect work to commence this month.

The proposed new car park is a Dover District Council scheme which the Highways Agency has agreed to include in the contract subject to the Council's agreement to meet the additional cost.

Trunk Roads and Motorways

Ms Walley: To ask the Secretary of State for Transport if he will place in the Library copies of external legal advice he has received in respect of the application of the Transfer of Undertakings (Protection of Employment) Regulations 1981 to his proposed new agency arrangements for trunk roads and motorways. [24103]

Mr. Watts: I have asked the chief executive of the Highways Agency to write to the hon. Member.

Letter from Lawrie Haynes to Ms Joan Walley, dated 2 April 1996:

The Secretary of State for Transport has asked me to reply to your question about whether copies of the external legal advice we have received in respect of TUPE would be placed in the Library of the House of Commons.

We have not considered it necessary to seek such external legal advice in relation to our new agency arrangements for the management of the trunk road network. Our policy for dealing with TUPE has been developed in close liaison with departmental lawyers. We have consistently stated that we do not consider it appropriate for the Highways Agency to comment on whether TUPE would apply when the new agencies are introduced. We do however appreciate that tenderers for the new agencies will require employee information in order for them to assess the implications of the TUPE Regulations on their bids. We are considering how such information could be made available.

Speed Recording Cameras

Mr. Peter Griffiths: To ask the Secretary of State for Transport what representations have been made to his Department regarding the safety hazard to oncoming

drivers of the flashing lights associated with speed recording cameras when used on single carriageways, with particular reference to the A3 between Wandsworth and the underpass leading to the dual carriageway to the south and west. [24138]

Mr. Norris: I have asked the chief executive of the Highways Agency to write to my hon. Friend.

Letter from Lawrie Haynes to Mr. Peter Griffiths, dated 2 April 1996:

The Secretary of State for Transport has asked me to reply to your recent question about the hazard to oncoming drivers of the flashing lights associated with speed recording cameras on single carriageways, and especially with reference to the camera positioned on the A3 between the Tibbets Corner underpass and Roehampton Lane.

No representations have been received about the safety hazards to oncoming drivers from the speed recording camera's flashing light at this particular location.

A speed camera takes two shots of the rear of a vehicle if it is travelling faster than a set speed. On a single carriageway road the camera will be pointing downwards towards the nearside. Oncoming traffic will be aware of the flashes but drivers should not be blinded, even if they are looking directly into the camera because of the downward direction of the light beam and because the brightness of the beam breaks down rapidly on either side of the focus. When selecting sites for speed cameras and when positioning them, one of the main factors under consideration is the possibility that oncoming drivers may be blinded. All steps are taken to make sure that this does not happen.

You will wish to know that I have arranged for this camera to be inspected to ensure that it is working properly.

Milford Haven

Mr. Allen: To ask the Secretary of State for Transport what is the normal number of tugs ordered for *(a)* tankers berthing at Milford Haven and *(b)* tankers sailing from the port of Milford Haven. [17892]

Mr. Norris: The number of tugs ordered will depend on factors such as the size of the tanker, its manoeuvrability and the prevailing weather conditions. I understand that the Milford Haven port authority has issued the following general guidelines for tankers berthing and leaving Milford Haven.

Tanker deadweight (tonnes)	*Number of tugs advised*
Over 15,000	1 or 2
15,000–65,000	2
65,000–100,000	3 or 4
100,000–150,000	4
Over 150,000	5

Tankers under 15,000 tonnes deadweight do not generally take tugs unless weather conditions and berthing difficulties dictate.

Substandard Tankers

Mr. Allen: To ask the Secretary of State for Transport what powers a port authority has to refuse *(a)* entry and *(b)* loading to tankers found to be substandard; and when such powers have been used since 1966. [17894]

Mr. Norris: I refer the hon. Member to the answer I gave to my hon. Friend the member for Isle of Wight (Mr. Field) on 6 March, *Official Report*, columns *213–14*. Records of the use made of these powers are not held by the Department.

Coastguard Buildings

Ms Walley: To ask the Secretary of State for Transport if he will list the amount paid to the HSB contractor for the care and maintenance of Coastguard agency buildings in each of the last five years. [22359]

Mr. Norris: I have asked the chief executive of the Coastguard agency to write to the hon. Member.

Letter from C. J. Harris to Ms Joan Walley, dated 2 April 1996:

The Secretary of State for Transport has asked me to reply to your recent Questions about the amount paid to the HSB contractor for the maintenance of Coastguard Agency buildings.

PQ 1590/95/96

The Coastguard Agency contract with HSB began on 1 April 1993. Contract expenditure for the last three years has been as follows:

1993–94: £312,855

1994–95: £268,759

1995–96: £288,581.

These figures are exclusive of VAT, and do not include payments for work commissioned outside the terms of the contract as payments made to HSB for these unforseen/emergency works also include the sub-contractors fee.

Weather Reports

Ms Walley: To ask the Secretary of State for Transport what are the current arrangements concerning payments to Coastguard personnel from the Meteorological Office in relation to the weather readings the Coastguard personnel provide. [22358]

Mr. Norris: I have asked the chief executive of the Coastguard agency to write to the hon. Member.

Letter from C. J. Harris to Ms Joan Walley, dated 2 April 1996:

The Secretary of State for Transport has asked me to reply to your recent Questions about arrangements concerning payments to Coastguard personnel for weather readings.

Volunteers on selected Coastguard stations, both permanent staff and Auxiliary Coastguards, receive a retainer from the Meteorological Office for the provision of weather observations. They are trained by and paid direct by the Meteorological Office.

Oil Tankers

Mr. Spearing: To ask the Secretary of State for Transport if he will undertake a study of the advantages of requiring any bulk oil tanker over a specific capacity bound for discharge at a port in the United Kingdom to be equipped with a bow thruster of minimum power related to its gross tonnage. [21138]

Mr. Norris: We are continually assessing the benefits of oil tanker design and specification, both within the Department of Transport and within the International Maritime Organisation, in which the Government take an

active role. Although bow thrusters can improve the manoeuvring in port, we have no evidence to indicate that they offer sufficient advantages to justify a study into whether they should be a requirement for all oil tankers entering UK ports.

EDUCATION AND EMPLOYMENT

National Vocational Qualifications

Mr. Bryan Davies: To ask the Secretary of State for Education and Employment what percentage of NVQs at each level have been awarded by each awarding body in each year since their introduction. [23084]

Mr. Paice: Due to a confidentiality agreement between the National Council for Vocational Qualifications and the awarding bodies, information showing the number or percentage of awards made by each awarding body is not available.

Mr. Davies: To ask the Secretary of State for Education and Employment how many full NVQs have been awarded at each level in each year since their introduction; and how many awardees were mostly or wholly trained for these awards in (i) further education or sixth form colleges, (ii) secondary schools, (iii) private training providers and (iv) other enterprises. [23085]

Mr. Paice: Information on the number of NVQ awards made at each NVQ level, broken down by year, is available from NCVQ and is shown in the following table. By the end of 1995, the total number of awards made at each level were: 262,000 at level 1; 613,000 at level 2; 126,000 at level 3; 42,000 at level 4; and 2,000 at level 5.

Comprehensive information on the type of centre at which the awardee was trained is not available.

Awards of NVQs by year and level

Thousands

Year to end	*Level 1*	*Level 2*	*Level 3*	*Level 4*	*Level 5*	*Total*
1990	19	28	8.00	3	0	58.00
1991	45	53.00	7.00	5.00	0	111.00
1992	40	92	13	7	[1]—	152.00
1993	49	127.00	18.00	8	1	202.00
1994	55.00	144.00	29.00	11.00	1.00	240
1995	54	168.00	51	8.00	1	282.00

Note:
[1]Fewer than 500 awards.
Source:
NCVQ.

Bishop Challoner School

Dr. Lynne Jones: To ask the Secretary of State for Education and Employment when Bishop Challoner school entered into franchise agreements with Solihull college; and what is the current status of those agreements. [23522]

Mr. Robin Squire: I understand that the school entered into a franchise arrangement with Solihull college from September 1994 and that it ended in July 1995.

Dr. Jones: To ask the Secretary of State for Education and Employment when the head teacher and bursar of Bishop Challoner school were suspended; and if she will make a statement on the finances of the school. [23520]

Mr. Squire: The school's external auditors have raised concerns about the school's draft 1994–95 accounts. In the light of that, the school's governing body, on the instruction of the Funding Agency for Schools, appointed outside consultants, Robson Rhodes, to help draw up a recovery plan which will also report on the precise financial position of the school.

The school's governing body took the decision to suspend the headteacher and the bursar on 15 February 1996 and to call in the police to investigate its concerns about some aspects of the management of the school's finances.

Dr. Jones: To ask the Secretary of State for Education and Employment (1) when Bishop Challoner school applied to change its status from an 11-to-16 to an 11-to-18 years school; what objections have been received in respect of the application; when these were received; and what is the current position with regard to that application; [23519]

(2) what has been the response of the Further Education Funding Council to the application from Bishop Challoner school to change to an 11-to-18 school. [23450]

Mr. Squire: The governors of Bishop Challoner Roman Catholic grant-maintained school published proposals on 28 March 1995 to make a significant change in the character of the school by changing the age range from 11-to-16 to 11-to-18 with effect from 1 September 1996. The Further Education Funding Council and Birmingham local education authority submitted statutory objections to the proposals on 4 and 24 May 1995 respectively. The proposals are currently under consideration.

Dr. Jones: To ask the Secretary of State for Education and Employment what was Bishop Challoner school's overspend at the time grant-maintained status was granted; and what were the financial implications of this for the local education authority. [23523]

Mr. Squire: The Funding Agency for Schools determined the school's annual maintenance grant for 1993–94, taking into account the financial position of the school when it became grant maintained on 1 October

1993. I have asked the chairman of the funding agency to arrange for a reply to be sent to the hon. Member.

Careers Service

Mr. David Nicholson: To ask the Secretary of State for Education and Employment what representations she has received that the careers service does not provide advice to school leavers about the opportunities for self-employment; and if she will make a statement. [23581]

Mr. Paice: I met representatives from the Princes youth business trust on 7 February and this matter was discussed. The Secretary of State requires careers services to provide school leavers with advice on the full range of education, employment and training options, including self-employment and the financial help available to support it. Careers services must help their clients to make decisions which are appropriate in their individual circumstances.

Sixth Forms (Birmingham)

Dr. Lynne Jones: To ask the Secretary of State for Education and Employment if she will list all 11-to-16 schools in Birmingham that have franchise agreements with sixth form and further education colleges enabling them to open sixth forms. [23451]

Mr. Robin Squire: I understand that the following 11-to-16 schools have franchising arrangements with institutions in the Further Education Funding Council sector: Selly Park girls' school, Holy Trinity Roman Catholic school, Holyhead school, Aston Manor school, Park View school, and Holte school. For an 11-to-16 school, the establishment of a sixth form would constitute a significant change in the character of the school, which would require the publication of proposals under sections 12 or 13 of the Education Act 1980, or section 96 or 97 of the Education Act 1993, as appropriate.

Maintained Schools

Mr. David Nicholson: To ask the Secretary of State for Education and Employment what is *(a)* the estimated number of pupils in maintained schools and *(b)* the amount allowed in the annual capital guidelines in respect of each such pupil for (i) 1994–95, (ii) 1995–96 and (iii) 1996–97, for (1) Somerset, (2) Shropshire, (3) Devon, (4) Dorset, (5) Buckinghamshire, (6) Kent, (7) Hampshire, (8) Norfolk and (9) Oxfordshire. [23580]

Mrs. Gillan: The information requested is set out in tables 1 and 2 in respect of 1994–95 and 1995–96, with the pupil numbers dating from the preceding January.

Since annual capital guidelines—ACGs—are mostly for capital work at county and voluntary controlled schools, the amount allowed per pupil is based on pupils at such schools in the local education authorities concerned, but the ACGs will have been used for specific work at particular schools, not for all schools in the LEAs. Total pupils at all maintained schools are listed separately. Estimates of numbers in maintained schools at January 1996 are not yet available on an individual LEA basis.

Table 1: Annual Capital Guidelines and pupil numbers

LEA	Annual Capital Guideline (ACG) £	January county and controlled school population	ACG total per pupil £
1994–95			
Somerset	3,240,000	57,738	56
Shropshire	6,990,00	52,498	133
Devon	7,961,000	121,784	65
Dorset	5,395,000	62,217	87
Bucks	6,829,000	79,970	85
Kent	15,660,000	161,578	97
Hampshire	18,583,000	185,178	100
Norfolk	3,890,000	85,732	45
Oxfordshire	3,745,000	67,352	56
1995–96			
Somerset	2,608,000	58,597	45
Shropshire	7,423,000	53,155	140
Devon	11,627,000	124,546	93
Dorset	3,340,000	62,871	53
Bucks	9,245,000	80,147	115
Kent	21,248,000	157,204	135
Hampshire	14,762,000	187,546	79
Norfolk	3,122,000	86,063	36
Oxfordshire	6,767,000	69,041	98

Table 2: Pupil numbers at all maintained schools

	January 1994	January 1995
Somerset	64,836	66,129
Shropshire	60,830	62,158
Devon	140,257	143,538
Dorset	85,919	87,981
Bucks	99,194	101,378
Kent	232,055	266,310
Hampshire	217,545	221,186
Norfolk	103,705	105,170
Oxfordshire	76,838	78,806

Post-16 Education (Birmingham)

Dr. Lynne Jones: To ask the Secretary of State for Education and Employment if she will make a statement about surplus post-16 years places in educational establishments in Birmingham. [23521]

Mr. Robin Squire: The Department does not routinely collect information in this form.

Higher Education

Mr. Kevin Hughes: To ask the Secretary of State for Education and Employment what is the amount of funding per student attending institutes of higher education in Yorkshire and Humberside; and what was the amount in each year since 1979. [23833]

Mr. Forth: The information is not readily available centrally—but could be requested from the relevant institutions.

Mr. Hughes: To ask the Secretary of State for Education and Employment (1) what assessment she has made of the impact on institutes of higher education in Yorkshire and Humberside of the reduction in the formula capital grant; [23835]

(2) what assessment she has made of the impact on the work of institutes of higher education in Yorkshire and Humberside with industry and commerce of the implementation of the recent budget cut. [24074]

(3) what proposals she has to provide interim funding to higher education to cover shortfalls in funding in the current year; [23837]

(4) what assessment she has made of the economic impact to the recent reductions in budgets for institutes of higher education; [23836]

(5) what assessment she has made of the impact on the economy in Yorkshire and Humberside of the reductions in budgets to higher education institutes in Yorkshire and Humberside. [23834]

Mr. Forth: The November 1995 budget settlement confirmed the 1994 plans for higher education recurrent expenditure. Planned capital expenditure was reduced in line with capital provision in most other public expenditure programmes, reflecting the policy that capital should, wherever possible, be financed through private finance schemes.

Mrs. Lait: To ask the Secretary of State for Education and Employment if changes to the current system of discretionary student grants are included in the review of higher education funding. [23770]

Mr. Forth: My right hon. Friends have yet to finalise, in the light of comments received during consultations, the terms of reference for the national committee of inquiry into higher education, but those terms will cover student support and are likely to be wide ranging. It will be for the committee itself to decide on which specific issues to focus.

Mr. Hughes: To ask the Secretary of State for Education and Employment what representations she has received concerning the recent reductions in funding of higher education; and how many of these were from the Yorkshire and Humberside areas. [23814]

Mr. Forth: Education and Employment Ministers have received approaching 300 representations from higher education bodies and other interested parties concerning the recent reductions in funding of higher education. Around 4 per cent. were from the Yorkshire and Humberside areas.

Mr. Hughes: To ask the Secretary of State for Education and Employment what is the proportion of 18-year-olds currently entering higher education in the Yorkshire and Humberside area; and what was the proportion in each year since 1986. [23832]

Mr. Forth: We are unable to calculate the age participation index—API—for higher education on a regional basis as the data are not readily available. Comparable Great Britain figures are shown in the following table for the years concerned.

Academic year	*API (percentage)*
1986–87	14.08
1987–88	14.50
1988–89	15.10
1989–90	17.10
1990–91	19.30
1991–92	23.30
1992–93	27.50
1993–94	29.70
1994–95	31.00
1995–96	30–32.00

Figures show the number of young (aged under 21 years) home domiciled initial entrants to higher education in Great Britain expressed as a percentage of the averaged 18 to 19-year-old population. Initial entrants are those entering a full-time course of higher education for the first time.

We do not yet have comprehensive figures on the number of full-time undergraduate students in Great Britain in the current academic year. Our best estimate is within a range based on the November 1995 Budget projection which took account of latest data available from the universities and colleges admissions services and from local education authorities.

Expenditure

Mr. Hawkins: To ask the Secretary of State for Education and Employment if she will list, for the most recent years for which information is available, and for each local education authority, the expenditure per pupil, full-time equivalent, in education on *(a)* the total education budget, *(b)* the general schools budget, *(c)* the potential school budget, *(d)* the aggregate schools budget, *(e)* the part of the budget allocated through age-weighted pupil units and *(f)*, *(b)*, *(c)*, *(d)* and *(e)* each as a percentage of *(a)*. [24141]

Mr. Robin Squire: I will write to the hon. Member with the available information when this has been collated.

EDS Computer System

Mr. Redmond: To ask the Secretary of State for Education and Employment what are the terms of contract the Student Loans Company has with the EDS software computer system; and if she will make a statement. [24357]

Mr. Forth: The Student Loans Company's facilities management contract with EDS ended on 15 May 1995. Services are now provided by SHL Systemhouse Europe.

Dance Training

Mr. Mackinlay: To ask the Secretary of State for Education and Employment what measures she is taking to increase opportunities for young people to have access to vocational training in dance. [23460]

Mr. Paice: Oversight for the co-ordination of training in the performing arts and entertainment industry, including dance, is the responsibility of the Arts and Entertainment Training Council, the recognised industry training organisation. The AETC is currently developing standards and national vocational qualifications in all sectors of the industry, including dance. The AETC has developed a modern apprenticeship framework for the industry to widen vocational education and training opportunities for young people.

General national vocational qualifications at foundation, intermediate and advanced levels in the performing arts and entertainment are now available to be piloted at various centres from September 1996.

Regulations

Mr. Steen: To ask the Secretary of State for Education and Employment which of the 1,000 regulations identified for repeal or amendment by the Prime Minister are the responsibility of her Department; of those which *(a)* have been repealed or amended and *(b)* are planned to have been repealed or amended by the end of the 1995–96 parliamentary Session; and if she will list those whose repeal has saved business more than £1 million per annum. [23652]

Mr. Robin Squire: I refer my hon. Friend to the reply given to him today by my right hon. Friend the Chancellor of the Duchy of Lancaster.

Correction Fluid

Mr. Hinchliffe: To ask the Secretary of State for Education and Employment what guidance she has issued concerning the use of paper correction fluid in schools. [24115]

Mr. Paice: The Department has drawn the attention of all schools to the Health and Safety Commissions's Education Services Advisory Committee's guidance, issued in 1994, entitled "Managing Health and Safety in Schools". ESAC has also produced specific guidance for schools on the safe use of substances hazardous to health. Education employers are required to assess the risks to health, of both employees and pupils, arising from the use of such substances and to have in place appropriate precautions to control those risks. This includes the use of liquid paper correction fluid where it contains substances hazardous to health. Normal use of correction fluid in schools should not, however, give rise to significant risks to health and safety.

The Department has also given advice in circular 4/95—"Drug prevention and schools"—on substances which are open to misuse. These include volatile substances or solvents such as correction fluid. The Department's digest of drug education resources for schools, issued last May, refers to materials which give advice about solvents. Solvents are also specifically mentioned in the references to drug education included in the national curriculum science order at key stages 3 and 4.The School Curriculum Assessment Authority—SCAA—offered guidance on related curricular matters in "Drug Education: Curriculum Guidance for Schools", also issued in May.

Life Long Learning

Mr. Mackinlay: To ask the Secretary of State for Education and Employment what resources her Department has allocated to promoting the European Year of Life Long Learning; and what other measures have been taken by her Department to promote the success of this year. [24180]

Mr. Paice: The Department has set up a United Kingdom co-ordination unit under the terms of the decision establishing the year. The unit has facilitated bids for European funding and awards have been made to 90 UK organisations for a variety of projects at national, regional and local level.

I launched the year in the UK at Edinburgh in February, with my right hon. Friend the Secretary of State for Scotland and my hon. Friend the Minister responsible for education at the Scottish Office.

Student Loans

Mr. Mackinlay: To ask the Secretary of State for Education and Employment for what reasons student loans will not be available to applicants over 50 years of age; and if she will make a statement. [24181]

Mr. Forth: The loans scheme provides students with additional resources from the taxpayer in anticipation of their repaying that loan out of future earnings. Students over 50 generally do not have the same expectations of future earnings as younger people and they are more likely to have access to other sources of finance.

Teachers' Superannuation Scheme

Mr. Milburn: To ask the Secretary of State for Education and Employment when he expects to make a decision about the proposed contractorisation of the Teachers' Pensions Agency. [24365]

Mr. Robin Squire: I refer the hon. Member to the answer I gave yesterday to my hon. Friend the Member for Mid-Kent (Mr. Rowe), *Official Report,* column *31.*

Remploy

Mr. Garnier: To ask the Secretary of State for Education and Employment what targets Remploy has been set in its 1996–97 annual performance agreement. [24588]

Mr. Paice: My noble Friend the Minister of State has written to the chairman of Remploy approving the 1996–97 annual performance agreement between the Department and the company. This agreement covers the year from 1 April 1996. It has been negotiated by the chief executive of the Employment Service, on behalf of my right hon. Friend the Secretary of State for Education and Employment. The targets are:

- the average number of disabled people employed by Remploy Ltd. will be at least 9,400;
- the average number of disabled people employed under the interwork scheme will be at least 2,400;
- at least 175 disabled employees will move from Remploy factories to interwork having been employed there for at least one year, or from interwork or factories to open employment;
- Remploy Ltd. will keep within a total unit cost target (operating deficit per disabled worker) of £10,170;
- the unit cost of interwork should be no more than £4,540;
- Remploy Ltd. will keep within an operating deficit of £99 million (including reorganisation costs).

The text of the annual performance agreement is being placed in the Library.

TRADE AND INDUSTRY

Torture Equipment Exports

Mr. Cohen: To ask the President of the Board of Trade what reports he has received alleging that the ban on the sale of torture equipment to certain countries has not been complied with; and if he will make a statement. [20354]

Mr. Oppenheim: I have not received any such reports. However, the Government deeply deprecate the export of any equipment knowingly to be used as an instrument of torture and would never themselves knowingly support such activity. In cases where export licences were required, no such licence would be granted if there was reason to believe that the goods would be misused for such purposes.

Mr. Cohen: To ask the President of the Board of Trade if he will make a statement on the allegations in the Channel 4 "Dispatches" programme of Government knowledge or approval of the export of torture equipment. [20351]

Mr. Oppenheim: I assume the programme to which the hon. Member refers is "The Torture Trail", originally screened on 11 January 1995. The Government deeply deprecate the export of any equipment knowingly to be used as an instrument of torture and would never themselves knowingly support such activity. In cases where export licences were required, no such licence would be granted if there was reason to believe that the goods would be misused for such purposes.

Mr. Wareing: To ask the President of the Board of Trade if he will make a statement on the offshore sale of arms and instruments of torture by British companies; what plans he has to prevent such sales; and if he will make a statement. [22293]

Mr. Oppenheim *[holding answer 22 March 1996]:* I am not specifically aware of any such sales. However, in respect of goods licensable under the Export of Goods (Control) Order 1989 the Government are considering whether to cover this issue in forthcoming public consultation on a range of export control matters following Sir Richard Scott's recent report.

Mr. Campbell-Savours: To ask the President of the Board of Trade what information his Department has evaluated in respect of the sale of electro-shock weapons or equipment from the United Kingdom. [22323]

Mr. Oppenheim: I am aware of allegations made in a recent television programme. The export of electro-shock weapons from the United Kingdom is controlled under the Export of Goods (Control) Order 1989 and there have been no allegations of any breaches of export controls. I am not specifically aware of any such sales organised off-shore by UK resident companies. However, in respect of goods licensable under the Export of Goods (Control) Order the Government are considering whether to cover this issue in forthcoming public consultation on a range of export control matters following Sir Richard Scott's recent report.

Mrs. Clwyd: To ask the President of the Board of Trade on how many occasions he has acted to prevent the export of electro-shock batons in the last three years. [21542]

Mr. Oppenheim *[holding answer 18 March 1996]:* With the exception of the one transhipment licence referred to by my hon. Friend the Minister for Science and Technology in his letter of 3 August 1995 to the hon. Member in response to her question tabled on 17 July 1995, my Department has not received any applications for the export of electro-shock batons during the period in question.

Aerospace Technology

Ms Rachel Squire: To ask the President of the Board of Trade what action has been taken to establish new university-linked applied research schemes for dual-use and civil aerospace technology requirements since the 1995 report from the technology foresight panel. [23693]

Mr. Eggar: A joint working forum on civil and defence collaboration in science and technology—the "civil/defence forum"—was established in June 1995, involving officials from the Ministry of Defence, the Defence Evaluation and Research Agency, the Department of Trade and Industry and the Office of Science and Technology to improve the co-ordination of dual-use civil and defence science and technology. The forum has been investigating mechanisms and potential areas for collaboration—the latter being based on technology foresight outputs—involving participants from academia, industry and defence.

Ms Squire: To ask the President of the Board of Trade what action has been taken to develop a national strategy for aerospace technology since the 1995 report from the technology foresight panel. [23689]

Mr. Eggar: My Department is continuing its partnership with industry to maintain a common approach to the recommendations of the defence and aerospace panel of technology foresight. The panel is continuing its work with the full support of my Department. As part of this process, my right hon. Friend the President of the Board of Trade met the Society of British Aerospace Companies and they subsequently met me and the Government's chief scientific adviser. Also, under a joint DTI-SBAC initiative, co-ordinators have been consulting DTI and industry to determine civil aircraft research and demonstration programme priorities in discrete technology areas, addressing the long-term competitive needs of the industry.

Ms Squire: To ask the President of the Board of Trade what action has been taken to support collaboration between the Civil Aviation Authority, industry and academics to maximise market opportunities arising for European programmes. [23686]

Mr. Eggar: There are a number of programmes supporting work in air traffic management and aviation safety that are of interest to the Civil Aviation Authority. These are run by European bodies such as the European Civil Aviation Conference, the European Commission and Eurocontrol. They are concerned with longer-term research and as such are some distance away from market exploitation. My Department maintains a dialogue with

the CAA and its parent Department, the Department of Transport, on research and other related issues.

Ms Squire: To ask the President of the Board of Trade what increase in funding has been made for industrial applied research in civil aerospace through the civil aircraft research and demonstration scheme since the 1995 report from the technology foresight panel. [23694]

Mr. Eggar: The civil aircraft research and demonstration programme supports research in aeronautics rather than space. There has been no increase in funding for industrial applied research in civil aeronautics through CARAD since the 1995 report for the technology foresight panel—published in April 1995.

Ms Squire: To ask the President of the Board of Trade what increase in funding has been made for technology demonstrator programmes for civil aerospace since the 1995 report from the technology foresight panel. [23696]

Mr. Eggar: There has been no increase in funding for civil technology demonstrator programmes since the 1995 report for the technology foresight panel—published in April 1995.

Deregulation (Gun Barrel Proving) Order 1996

Mr. Steen: To ask the President of the Board of Trade what was the estimated total cost of preparing the Deregulation (Gun Barrel Proving) Order 1996 for submission to the Deregulation Committee, broken down by *(a)* drafting, *(b)* printing and *(c)* costs incurred during consultation. [23639]

Mr. John M. Taylor *[holding answer 1 April 1996]:* The cost of preparing the Deregulation (Gun Barrel Proving) Order is estimated at about £9,500, excluding printing cost, which are not available. All but about £130 of this is estimated staff costs. It has not been possible to apportion these between the consultation, drafting and printing stages.

Vehicle Road Licence Discs

Mr. Ieuan Wyn Jones: To ask the President of the Board of Trade what was *(a)* the total number of post offices and sub-post offices in Wales and *(b)* the number of post offices and sub-post offices currently selling vehicle road licence discs, breaking down the figures for each Welsh county and showing *(b)* as a proportion of *(a)*. [22702]

Mr. Oppenheim *[holding answer 1 April 1996]:* I understand from the Post Office that the total number of post offices and of post offices issuing motor vehicle licences in Wales by county are as follows:

(a) Post Offices in Wales by county

	Crown offices	*Modified sub offices*	*Sub office*	*Community offices*
Gwynedd	5	12	199	50
Clwyd	5	7	179	26
Dyfed	5	10	257	63
West Glamorgan	4	2	161	0
South Glamorgan	4	5	105	1
Gwent	3	8	198	8
Powys	0	7	94	30
Mid Glamorgan	4	8	180	1
Total	30	59	1,373	179

(b) Post Office issuing MVLs in Wales by county

	Crown offices	*Modified sub offices*	*Sub office*
Gwynedd	5	12	32
Clwyd	5	7	31
Dyfed	5	10	18
West Glamorgan	4	2	18
South Glamorgan	4	5	19
Gwent	3	8	34
Powys	0	7	8
Mid Glamorgan	4	8	29
Total	30	59	189
(b) as per cent of (a)	100	100	14

Mr. Jones: To ask the President of the Board of Trade if he will make it his policy to require each post office and sub-post office to sell vehicle road licence discs. [22606]

Mr. Oppenheim *[holding answer 1 April 1996]:* Decisions on the overall number of post offices issuing motor vehicle licences are a matter for the Driver and Vehicle Licensing Agency.

Regulations

Mr. Steen: To ask the President of the Board of Trade which of the 1,000 regulations identified for repeal or amendment by the Prime Minister are the responsibility of his Department; of those which *(a)* have been repealed or amended and *(b)* are planned to have been repealed or amended by the end of the 1995–96 parliamentary Session; and if he will list those whose repeal has saved business more than £1 million per annum. [23656]

Mr. Lang: I refer my hon. Friend to the answer given by my right hon. Friend the Chancellor of the Duchy of Lancaster today.

Cuba

Mr. Tony Lloyd: To ask the President of the Board of Trade what discussions Her Majesty's Government have had with the *(a)* Canadian and *(b)* Mexican Governments regarding action in relation to the United States Cuban Liberty and Democratic Solidarity Act. [24117]

Mr. Nelson: We have been in regular contact with the Canadian and Mexican Governments concerning the US legislation.

Mr. Lloyd: To ask the President of the Board of Trade what discussions Her Majesty's Government have held with the EU in respect of World Trade Organisation action against the United States Cuban Liberty and Democratic Solidarity Act. [24120]

Mr. Nelson: Her Majesty's Government have been in close contact with our EU partners and the European Commission about the implications of the US legislation.

The question of its compatibility with the United States' international obligations, including those of the WTO, is one aspect which is being considered.

Mr. Lloyd: To ask the President of the Board of Trade what representations Her Majesty's Government have made to the United States Administration regarding extra-territorial aspects of the Cuban Liberty and Democratic Solidarity Act. [24121]

Mr. Nelson: The UK has already made a number of representations to the US Administration expressing its concern at the extra-territorial aspects of the US legislation. We shall be making further representations shortly.

Mr. Lloyd: To ask the President of the Board of Trade what action Her Majesty's Government will take to protect United Kingdom companies and individuals that are the subject of litigation in United States courts, with particular reference to the Cuban Liberty and Democratic Solidarity Act. [24116]

Mr. Nelson: The provisions in the US legislation which give US nationals a right of action against non-US persons allegedly trafficking in expropriated property do not enter into force until 1 August and may be suspended by the President on a six-monthly basis. We shall be pressing the US Administration to make use of this provision for suspension.

Environmental Technology Industries

Ms Ruddock: To ask the President of the Board of Trade what was the level of financial support from the Government for environmental industries for the early research and development phase of product development in *(a)* 1990, *(b)* 1991, *(c)* 1992, *(d)* 1993, *(e)* 1994 and *(f)* 1995. [24111]

Mr. Page: Support for research and development on technologies with a specific environmental function, under the environmental technology innovation scheme, Eureka- Euroenviron and the environmental technology best practice programmes was as follows:

Year	*£ million*
1990–91	0.1
1991–92	0.96
1992–93	2.91
1993–94	2.95
1994–95	2.53
1995–96 (estimate)	1.72
Total	11.17

The above support includes programmes operated by both the Department of Trade and Industry and the Department of the Environment.

Some of the research and development supported under general DTI programmes, such as the small firms merit award for research and technology, support for products under research, Link and other Eureka activities and through the Office for Science and Technology's funding of research councils, will be relevant to the environmental technology industries.

Support for the new and renewable energy technologies and clean coal technologies was as follows:

£ million

Year	*New and renewables*	*Clean coal*
1990–91	20.8	13.0
1991–92	24.8	4.6
1992–93	25.5	4.0
1993–94	25.2	7.8
1994–95	19.1	7.9
1995–96 (estimate)	17.8	7.0
Total	133.2	44.3

Defence Diversification

Mr. Denham: To ask the President of the Board of Trade what further plans he has to promote defence diversification. [22313]

Mr. Eggar: Diversification projects can potentially benefit from a number of regional, export and technology initiatives. The Konver initiative specifically addresses the economic development of defence-dependent areas. Following the inaugural meeting of the British Konver II programme on 22 February, applications for grant have been invited for this programme, which will be worth some £200 million over the next four years.

Technology Foresight

Mrs. Lait: To ask the President of the Board of Trade when he expects to respond to the first report of the House of Commons Science and Technology Committee of Session 1995–96 on technology foresight, HC 49. [24763]

Mr. Lang: I am publishing the Government response to the Select Committee's report today. I am pleased to say that the Government predominantly accept the recommendations made by the Committee. We are grateful for the Committee's continuing support for technology foresight.

AEA Technology plc

Mrs. Lait: To ask the President of the Board of Trade if he will make a statement about the formation of AEA Technology plc and the objectives he has set for the chairman. [24762]

Mr. Page: The property, rights and liabilities of that part of the United Kingdom Atomic Energy Authority known as AEA Technology were transferred to a separate company, AEA Technology plc, on 31 March. Corporate status gives AEA Technology a basis on which to build on the substantial progress it has made as a business over the last couple of years.

I have today written to Sir Anthony Cleaver, the chairman of AEA Technology plc, setting out his objectives for the period that the company is in public ownership. The text of my letter is as follows:

> I am writing to set out your objectives as Chairman of AEA Technology plc whilst the company is in public ownership.
>
> As you know, the Government intends to offer AEAT for sale as a single integrated business in the course of this year. No decisions have yet been taken about the method of sale.

Whatever form it takes, I expect you and your Board to do everything possible to ensure that the sale is carried through successfully and secures maximum value for the taxpayer.

The success of the sale depends critically on the performance of the business over the next few months. Since AEA Technology was set up in April 1994, substantial progress has been made in improving profitability, reducing costs and increasing responsiveness to customer concerns and requirements. Major changes have also been made to management systems, particularly financial systems, in order to improve the quality and timeliness of management information. The progress which has been made is a tribute to the efforts of both mismanagement and staff but it needs to be sustained. I look to you to ensure that it is sustained. In particular, the company should continue:

(a) to promote the growth of its business with the UK private sector and in overseas markets.

(b) to bear down on overheads, increase operational efficiency and ensure that the financial and other information available to management fully meets their perceived needs.

(c) to improve the quality of service available to customers; and

(d) progressively to increase profitability and its rate of return on capital employed.

The company has gone through a period of extensive restructuring over the last two years. When complete, this will result in a more coherent, lower cost business better focused on the needs and requirements of its customers. You should, however, continue to keep the structure of the company under review and be ready to make any further organisational or management changes which might be necessary to maintain or increase its competitiveness and achieve commercial success.

More generally, AEA Technology can help improve UK competitiveness through collaboration with other UK companies in home and overseas markets. I look to you to ensure that opportunities for mutually beneficial collaboration are exploited wherever possible. You should also ensure that AEA Technology's dealings with UKAEA are carried out on an appropriate commercial basis.

AEA Technology is predominantly a people business. You should therefore ensure that you have effective arrangements in place to incentivise management and staff and to encourage commitment to, and personal identification with, the commercial objectives of the company.

Within the framework of the company's Business Plan, you should ensure that AEAT explores all options for exploiting its technology, including collaboration with other organisations where this is commercially justified.

You should ensure that AEAT continues to have arrangements which secure at all times the highest practicable standards of safety in all its activities and that all relevant regulatory and security requirements are met.

You should ensure that the company complies fully with the requirements of the Cadbury code on corporate governance and conducts its affairs in a manner consistent with the principles of financial propriety and regularity applicable to a public sector body.

Where appropriate, specific targets in support of those aims and objectives will be set from time to time in consultation with you. I expect you to provide regular reports on progress against these targets and, more generally, on the company's performance and preparations for privatisation.

Laboratory of the Government Chemist

Mr. Hargreaves: To ask the President of the Board of Trade if he will make a statement on the sale of the Laboratory of the Government Chemist. [24761]

Mr. Ian Taylor: The Government completed on 31 March the sale of the Laboratory of the Government Chemist to LGC (Holdings) Ltd., a company formed by a consortium lead by the chief executive, Dr. Richard Worswick, and comprising LGC management and staff, the Royal Society of Chemistry and 3i Group plc.

The intention to privatise LGC was announced by my right hon. Friend the Member for Henley (Mr. Heseltine) on 14 April 1994.

On 10 November 1995, the consortium was selected as the preferred bidder after extensive evaluation against the Department's objectives for the sale and a wide range of quantitative, technical and financial criteria which demonstrated that their bid represented the best value-for-money option for the Department.

The consideration will be a payment of £360,000 to the Department, to be adjusted subsequently in the light of the level of net current assets at completion. At the same time, the Department will be making a payment to the purchaser of £1.96 million to relieve the Department of the liability for *(a)* site separation work to allow LGC to untie from the national physical laboratory on the Department's Teddington site, and *(b)* building dilapidation works; the purchaser will take on the entire responsibility for the successful completion of these projects.

In the event that the purchaser is not awarded a contract which was assumed in the bid, there will be *(a)* payment to the purchaser of £300,000 to forestall consequential redundancies and to enable it to develop alternative business streams, and *(b)* an indemnity for the cost of any such redundancies up to a maximum sum of £500,000.

Dr. Worswick has been reappointed as the Government Chemist. Virtually all the staff in the undertaking will transfer to the purchaser.

This represents a highly satisfactory outcome for Government and for LGC. The unique combination of the existing management and staff, the RSC, and 3i will allow LGC to forge a new future as a successful commercial enterprise, building on its existing strengths in analytical chemistry. At the same time, LGC will continue to meet the Department's needs as the centre of excellence in chemical metrology. The involvement of the RSC will help to maintain LGC's independence and impartiality which is of particular importance for the discharge of the Government Chemist's statutory responsibilities. I particularly welcome the confidence shown in the laboratory by the staff, many of whom will be investing in the new company to be operated by the purchasers.

Crude Oil (Storage)

Mr. Ainger: To ask the President of the Board of Trade if he will list the minimum tonnage of crude oil as collated by Customs and Excise required to be stored at each of the United Kingdom oil refineries. [24263]

Mr. Page: There is no requirement for crude oil to be stored specifically at UK oil refineries.

Oil refining companies are currently directed to hold stocks of petroleum products amounting to 75 days of their deliveries into final consumption in the previous year in three product categories specified by EC directive 68/414/EEC. Directions do not specify the location in which stocks are to be held.

Mr. Ainger: To ask the President of the Board of Trade if he will list the tonnage of crude oil as collated by Customs and Excise stored at each of the United Kingdom oil refineries on or about 15 January, 15 February 1996 and 15 December 1995. [24262]

Mr. Page: The information requested is not readily available in the time given and is treated as commercially confidential.

The information provided by the oil industry does not separate oil held at refineries as opposed to other facilities. The collection of the information required would impose disproportionate costs.

Patent Office

Mr. Alex Carlile: To ask the President of the Board of Trade what are the criteria on which a decision to contract out the work of the central inquiry unit of the Patent Office will be based; and if he will make a statement. [24159]

Mr. Ian Taylor: The general criterion is increased value for money through improvements in efficiency and quality of service. More specific criteria will be drawn up for inclusion in any invitation to tender.

The overall objective is to ensure the Patent Office is in a position to withstand competitive pressures.

Mr. Carlile: To ask the President of the Board of Trade if the Patent Office management board is authorised to oppose a study into the contracting out of the work of Departments with the Patent Office; and if he will make a statement. [24163]

Mr. Taylor: The final responsibility for decisions on contractorisation rests with the Minister concerned. Such decisions take into account advice from the chief executive and his board.

Mr. Carlile: To ask the President of the Board of Trade what percentage of the marketing budget of the Patent Office is accounted for by the central inquiry unit; and if he will make a statement. [24158]

Mr. Taylor: About 30 per cent. of the Patent Office budget for publicity and marketing is allocated to the central inquiry unit.

Mr. Carlile: To ask the President of the Board of Trade when the Coopers and Lybrand report on the Patent Office information services department will be published; what has been the cost of the report; and if he will make a statement. [24162]

Mr. Taylor: The report contains commercially confidential material and will not be published. The cost of the review was £49,300.

Mr. Carlile: To ask the President of the Board of Trade if he will *(a)* name the bidders for the London office of the Patent Office, *(b)* announce the date on which the contracts will be awarded and *(c)* list the dates on which consultation has taken place with the Patent Office unions; and if he will make a statement. [24166]

Mr. Taylor: The decision on the successful bidder for the management of the London front office is expected in late April and will be announced shortly thereafter. Under the 1989 arrangements for consultation on contractorisation projects, the Patent Office trade unions were consulted on the invitation to tender in January 1996. The topic was also raised with me by the trade unions during my visit to the Patent Office on 27 March.

Mr. Carlile: To ask the President of the Board of Trade if he will outline the time scale for any study into contracting out the work of the central inquiry unit of the Patent Office; who is responsible for the study; when the contracts expire; and if he will make a statement. [24164]

Mr. Taylor: A preliminary study of the feasibility of contracting out the central inquiry unit is being carried out in-house. It is expected to be ready in late June.

Mr. Carlile: To ask the President of the Board of Trade if he will list the members of the Patent Office steering board; and if he will make a statement. [24157]

Mr. Taylor: The current members of the Patent Office steering board are:

Mr. B. G. Hilton (Chairman)
Mr. P. R. S. Hartnack
Mr. D. R. McMurtry
Mr. J. R. Pryer
Mr. D. R. Fairbairn
Mr. B. A. Wright
Mr. T. J. Cassidy
Mr. M. O'Shea.

Mr. Carlile: To ask the President of the Board of Trade how many information technology consultants are employed at the Patent Office information technology services department; who employs them; and he will make a statement. [24161]

Mr. Taylor: Contract staff recruited to provide specialist skills not available in-house to the Patent Office currently number 36. They are supplied by a number of companies selected through an open competition. These suppliers are:

Abraxas Computer Services Ltd.
Almondhall Computer Staff
Computer People
Cray Systems Ltd.
DPP International Ltd.
DP Support Services
Eurolink Group
Footprint Computer Recruitment
Lorien Computer Recruitment Ltd.
The Modus Group
Task Force IT ServiceLine
Visionbase Systems Ltd.
World Systems plc.

Mr. Carlile: To ask the President of the Board of Trade what official notification his Department has made of a study into the contracting out of the work of the central inquiry unit of the Patent Office; and if he will make a statement. [24165]

Mr. Taylor: The staff of the central inquiry unit and trade union representatives have been told of the decision to carry out a feasibility study of contractorisation by the Patent Office management. Members of Parliament with an interest have been informed through parliamentary questions or ministerial correspondence.

Mr. Carlile: To ask the President of the Board of Trade when the last civil servant was recruited to work at the Patent Office information technology services department; and if he will make a statement. [24265]

Mr. Taylor: Two civil servants were recruited into the Patent Office information technology services department in January 1995.

Mr. Harvey: To ask the President of the Board of Trade if he will list *(a)* the number and *(b)* names of the private consultants currently employed in the Patent Office. [24371]

Mr. Taylor: Only Coopers and Lybrand is currently employed by the Patent Office. Marketing Improvements and Logica Ltd. have recently been employed but have now submitted their final reports which are under active consideration.

Meat Processing and Transport Industry

Ms Walley: To ask the President of the Board of Trade how many people were employed in each sector of the meat processing and meat transport industry for each county of England as of 1 March. [24100]

Mrs. Angela Knight: I have been asked to reply.

Information at county level on employees in the "production, processing and preserving of meat and meat products"—SIC 1992 group 151—is available from the census of employment 1993 and can be accessed through the NOMIS database by the House of Commons Library. Employees in the meat transport industry are found across SIC 1992 divisions 60–63—land, sea, and air transport; supporting transport activities. However, it is not possible to identify these employees specifically.

SCOTLAND

BSE

Mrs. Liddell: To ask the Secretary of State for Scotland how many cattle have been confirmed as being infected with bovine spongiform encephalopathy in Scotland in each year from 1986 to 1995. [22934]

Mr. Raymond S. Robertson: The information requested is as follows:

Year	*Number of confirmed cases*
1986	0
1987	7
1988	54
1989	208
1990	486
1991	808
1992	1,850
1993	2,208
1994	1,326
1995	660
1996 (to 25 March 1996)	60

Mrs. Liddell: To ask the Secretary of State for Scotland when he plans to publish the initial conclusions of the experiments on transgenic mice being administered bovine spongiform encephalopathy. [22936]

Mr. Raymond S. Robertson: This research programme is being undertaken by Professor John Collinge of the prion disease group of Imperial college school of medicine with funding from the Wellcome Foundation. I have no information on when the initial findings will be published. I would, however refer the hon. Member to an article by Dr. Collinge which was published in "Nature" magazine—vol 378—on 28 December 1995.

Funicular Railway, Cairngorm

Mr. Galbraith: To ask the Secretary of State for Scotland, pursuant to his answer of 22 March, *Official Report*, column *344*, if a funicular railway built by the Cairngorm Chairlift Company with money from Highlands and Islands Enterprise can be *(a)* operated by, and *(b)* transferred to, the Cairngorm Railway Company. [24131]

Mr. Kynoch: The extent to which a private asset whose creation was assisted from public funds could be operated by or transferred to a company other than that to which the assistance was provided would depend upon the terms and conditions of that assistance. In the case of assistance provided by Highlands and Islands Enterprise, it is a standard condition that the onward transfer of assets in respect of which financial assistance has been provided may not take place without the consent of that organisation.

Deregulation

Mr. Steen: To ask the Secretary of State for Scotland, pursuant to the oral answer of the Chancellor of the Duchy of Lancaster to the hon. Member for Colchester, North (Mr. Jenkin) on 26 February, *Official Report*, column *576*, if he will list those statutory instruments and Acts of Parliament which have been gold plated in the past five years; and what steps he is taking to amend or repeal each piece of gold plating on existing legislation. [23630]

Mr. Kynoch *[holding answer 1 April 1996]:* The Scottish Office policy is not to add unnecessary burdens when implementing EC directives. We take every opportunity to review existing legislation in the light of this. Guidance to enable Ministers to see where implementing legislation goes beyond the underlying EC directive is currently being revised.

Royal Infirmary, Edinburgh

Mr. Darling: To ask the Secretary of State for Scotland if the proposal to construct the new Royal infirmary in Edinburgh as a private finance initiative project will be open to public inspection before a decision is made to award any contract in respect of it; and if he will make a statement. [23910]

Lord James Douglas-Hamilton *[holding answer 1 April 1996]:* At present, the PFI proposals for the new Royal infirmary in Edinburgh are being prepared by the shortlisted consortia which have been invited to tender. Once a preferred bidder is selected, the trust intends to place on public display, at the Royal infirmary, the plans

and designs for the proposal. Extensive information about the project is already available and can be viewed at the infirmary by arrangement.

Bids from the consortia are expected in May. The trust will assess these bids in detail before announcing the selected proposal in July. The trust will then compare this bid against a publicly funded option and present the outcome of this in a full business case, which will be submitted for approval to Ministers and the Treasury. Final contract negotiations will then take place, if the private sector bid offers superior value for money. A contract award is scheduled for the end of this year.

Health Boards

Sir David Steel: To ask the Secretary of State for Scotland if he will list his Department's contribution to local health boards to cover costs of changes in administration with particular reference to *(a)* signposting and *(b)* stationery. [23912]

Lord James Douglas Hamilton *[holding answer 1 April 1996]:* Funds were made available to health boards for them to distribute to NHS trusts to assist with their establishment. No information is held centrally on how these funds were used.

Sir David Steel: To ask the Secretary of State for Scotland if he will list the management costs as a percentage of total expenditure in respect of each local health board in Scotland separately identifying the NHS trusts within each. [23911]

Lord James Douglas Hamilton *[holding answer 1 April 1996]:* The information for health boards is set out in the table. The percentages have been calculated using figures from the 1994–95 annual accounts. This is the latest year available. NHS trusts in Scotland did not separately identify management costs within the annual accounts for the financial year 1994–95.

Health boards	*Per cent.*
Argyll and Clyde	2.0
Ayrshire and Arran	1.5
Borders	2.5
Dumfries and Galloway	2.4
Fife	2.3
Forth Valley	2.1
Grampian	1.8
Greater Glasgow	2.0
Highland	2.4
Lanarkshire	1.5
Lothian	2.0
Orkney	3.9
Shetland	3.0
Tayside	1.3
Western Isles	3.0
Scotland average	1.9

Private Finance Initiative

Mr. Darling: To ask the Secretary of State for Scotland how much expenditure has been incurred in payments to consultants engaged in connection with PFI projects within the health service in Scotland. [23909]

Lord James Douglas-Hamilton *[holding answer 1 April 1996]:* Consultants are engaged to assist in PFI projects following a competitive tender run by the trust or health board. The resulting agreements are of a commercial nature and the value of each is not notified to the Scottish Office. It is estimated that 2 per cent. of the capital value of a scheme is incurred in fees on a PFI project. This compares favourably with the cost of a publicly-funded procurement, and is often less, chiefly due to the fact that detailed design work is done at the cost of the private rather than public sector.

Forestry Commission (Woodland Sales)

Mr. Tipping: To ask the Secretary of State for Scotland (1) what is the number and size of Forestry Commission woodlands sold in total and for each year since 1981 in *(a)* England, *(b)* Wales and *(c)* Scotland and the amount of income received in total and in each year since 1981 for the sales in each country; [23763]

(2) if he will list the number, size and location of Forestry Commission woodlands sold since 1981 for which access agreements have been concluded. [23764]

Mr. Kynoch: The subject of the questions relates to matters undertaken by Forest Enterprise. I have asked its chief executive, Mr. Neil McKerrow, to arrange for a reply to be given.

Letter from Neil A. H. McKerrow to Mr. Paddy Tipping, dated 2 April 1996:

You asked the Secretary of State for Scotland the following questions:—

(1) "What is the number and size of Forestry Commission woodlands sold in total and by each year since 1981 in (a) England, (b) Wales and (c) Scotland and the amount of income received in total and in each year since 1981 for the sales in each country".

(2) "if he will list the number, size and location of Forestry Commission woodlands sold since 1981 for which access agreements have been concluded".

As the questions you raised relate to matters that are undertaken by Forest Enterprise, the questions have been passed to me for reply.

In reply to the first question, lists of all Forestry Commission disposals for the years 1981–1995 are placed yearly in the Library of the House of Commons and contain the information on individual disposals you require. I enclose copies of these for your use.

A breakdown of income received by country is not held centrally. However, the total receipts from sales throughout Britain are as follows:

Year ended 31 March	*Total receipts £ million*
1981	4.5
1982	6.9
1983	14.6
1984	23.6
1985	22.1
1986	17.0
1987	14.7
1988	13.1
1989	12.4
1990	13.0
1991	12.0
1992	14.5

Year ended 31 March	Total receipts £ million
1993	9.9
1994	17.4
1995	12.1

Your second question relates to public access agreements pertaining to woodlands sold since 1981.

I attach a list showing details of all woodlands that have been sold with completed public access agreements. You asked for information from 1981 but the arrangements for public access agreements were only introduced in October 1991 and the list, therefore, only covers disposals since then.

Sales with completed public access agreements as at 31 December 1995

	County/Region	Name	Area(ha)	Date sold
1993				
Wales	Gwent	Graig Syddi	28	November 1993
1994				
NEE(E)	Derbyshire	Birch Wood	24	February 1994
	Derbyshire	Britton Wood	6	March 1994
	Derbyshire	Kings Lot and Longway Bank	12	March 1994
	Humberside	Sutton Wood	33	July 1994
	North Yorkshire	Gateforth East	28	March 1994
	North Yorkshire	Moreby Wood	33	April 1994
Wales	Clwyd	Nanty Ffridd (1)	52	[1] June 1994
	Clwyd	Nant y Ffridd (2)	23	[1] June 1994
	Dyfed	Allt y Gwydre	14	March 1994
	Dyfed	Court Wood	19	September 1994
	Dyfed	Factory Wood	3	March 1994
	Dyfed	Taldrum Wood	5	March 1994
	Dyfed	Tan y Lan	32	March 1994
	Dyfed	Ty'r Dopa	14	April 1994
	Powys	Castlering	14	June 1994
	Powys	Granner Wood	10	August 1994
	Powys	Hilltop	5	April 1994
	Powys	Taylors Wood	42	October 1994
	Powys	Tir y Gof	47	December 1994
1995				
Wales	Clwyd	Foel Uchaf	18	July 1995
	Dyfed	Blwch Newydd	8	December 1995
	Dyfed	Cwmere	19	June 1995
	Dyfed	Penfarch	24	May 1995
	Dyfed	Penwenallt	5	November 1995
	Gwynedd	Coed Glygyrogwen	110	November 1995
	Gwynedd	Pant y Wrach Lot 3	27	November 1995
	West Glamorgan	Decoy Woods	14	July 1995
Scotland	Borders	Gala Blocks	127	August 1995
	Grampian	Lochlait Wood	90	July 1995
	Grampian	White Cow Wood	444	October 1995
	Grampian	Wood of Wrae	50	November 1995
	Highland	Rinuden Plantation	88	July 1995
	Tayside	Cowden Wood	20	March 1995
		Total area to date	1,488	
		Total number to date	34	

[1] One sale but agreements with two separate LAs.

Regulations

Mr. Steen: To ask the Secretary of State for Scotland which of the 1,000 regulations identified for repeal or amendment by the Prime Minister are the responsibility of his Department; of those which *(a)* have been repealed or amended and *(b)* are planned to have been repealed or amended by the end of the 1995–96 parliamentary Session; and if he will list those whose repeal has saved business more than £1 million per annum. [23647]

Mr. Kynoch: I refer the hon. Gentleman to the answer given today by my right hon. Friend the Chancellor of the Duchy of Lancaster.

General Medical Practitioners

Mr. Bayley: To ask the Secretary of State for Scotland what was the whole-time equivalent number of NHS general medical practitioners working in each health board area in Scotland at the latest date for which figures are available. [24383]

Lord James Douglas-Hamilton: The whole-time equivalent number of unrestricted principals in each health board area in Scotland at 1 October 1995 is as follows:

	Number
Scotland	3,385.8
Argyll and Clyde	294.8
Ayrshire and Arran	250.0
Borders	76.0
Dumfries and Galloway	114.0
Fife	214.8
Forth Valley	188.8
Grampian	330.8
Greater Glasgow	598.5
Highland	179.8
Lanarkshire	321.5
Lothian	494.3
Orkney	24.0
Shetland	17.0
Tayside	252.0
Western Isles	29.8

Local Government Reorganisation

Mr. Tom Clarke: To ask the Secretary of State for Scotland what were the electorates of each of the wards in each of the new council areas in Scotland, at 16 February. [24477]

Mr. Kynoch: The information requested will shortly be placed in the Library.

Parliamentary Constituencies

Mr. Tom Clarke: To ask the Secretary of State for Scotland what were the electorates of each of the existing parliamentary constituencies in Scotland at 16 February. [24478]

Lord James Douglas-Hamilton: This information is not yet available centrally.

Registers of Scotland

Sir Hector Monro: To ask the Secretary of State for Scotland if he will make a statement about the targets he expects the Registers of Scotland executive agency to achieve in the three-year period 1996 to 1999. [24808]

Lord James Douglas-Hamilton: I have set the Registers of Scotland the following key targets for 1996–99:

- to reduce progressively the turnround time for sasine writs from 33 days at 31 March 1996 to 25 days by 31 March 1999;
- to reduce progressively the turnround time for dealings with whole on the land register from 55 days at 31 March 1996 to 25 days 31 March 1999;
- to reduce unit costs in real terms by 4 per cent. against the 1995—96 target for sasine writs and 16 per cent. against the 1995–96 target for dealings with whole by 31 March 1997;
- to continue the land register extension programme and achieve the transfer of the counties of Ayr and Dumfries to the land register on 1 April 1977 and Perth, Angus and Kinross on 1 April 1998;
- for the trading fund to achieve a return of 6 per cent. on net capital employed over a three year period;
- to complete the conversion of existing land register counties to a digitised map and computer-based text system by 1 April 1997;
- to complete a full assessment of developing electronic, on-line access to the agencies databases by autumn 1996 and of the potential for linkages with other property and land databases held in Scotland; and
- to maintain at least 97 per cent. of customers expressing satisfaction with the quality of work and helpfulness of staff for all parts of the business.

ENVIRONMENT

Wetland Areas

Mr. Llwyd: To ask the Secretary of State for the Environment what representations his Department has recently received from Friends of the Earth Cymru concerning wetland areas in Wales; and if he will make a statement. [23182]

Mr. Clappison: None. Friends of the Earth has sent a copy of its report, "A Review of UK Compliance with the Ramsar Convention on Wetlands of International Importance" to the Department's European wildlife division in Bristol.

Mr. Llwyd: To ask the Secretary of State for the Environment what is his policy on the protection of wetland areas in the United Kingdom; and if he will make a statement. [23184]

Mr. Clappison: As a party to the Ramsar convention on wetlands of international importance, the UK is committed to protecting wetlands and promoting their wise use. UK wetlands are protected through a combination of site-based and policy-based mechanisms. These are described in detail in the UK national report to the sixth meeting of the conference of the parties to the Ramsar convention, and planning policy guidance note No. 9 on nature conservation, copies of which are in the Library.

Mr. Llwyd: To ask the Secretary of State for the Environment if he will list the wetland areas in *(a)* England and *(b)* Wales which have been damaged over the past five years; and if he will make a statement. [23181]

Mr. Clappison: Information on the UK's internationally important wetlands with recorded or predicted negative changes in ecological character is included in the UK national report to the sixth meeting of the conference of the parties to the Ramsar convention, a copy of which is in the Library.

Secondary Liquid Fuel

Mr. Bennett: To ask the Secretary of State for the Environment (1) on what date Her Majesty's inspectorate of pollution revised the standard assessment levels for heavy metals in secondary liquid fuels; [23247]

(2) if he will place in the Library the data and analysis which formed the basis of Her Majesty's inspectorate of pollution's decision to revise the standard assessment levels for heavy metals in secondary liquid fuel. [23245]

Mr. Clappison: I do not intend to place such data and analysis in the Library.

Her Majesty's inspectorate of pollution has developed environmental assessment levels for use in environmental, economic and best practicable environmental option assessments which are carried out by operators of industrial processes controlled under integrated pollution control. There are no specific EALs for particular processes or fuels.

Draft EALs were included in the consultation document entitled "Environmental, Economic and BPEO Assessment Principles for Integrated Pollution Control" published by HMIP in April 1994.

In the light of comments received during the consultation exercise, HMIP reviewed the overall BPEO approach together with the methodology used to set EALs.

A revised approach to the derivation of EALs was agreed in January 1995 and amended values were published in volume III of a set of consultation documents in July 1995.

Following further consultation, the revised guidance is due to be published by HMSO in the near future.

Building Research Establishment

Mr. Raynsford: To ask the Secretary of State for the Environment (1) how many *(a)* United Kingdom, *(b)* European and *(c)* international standards committees are chaired by employees of the Building Research Establishment; [23098]

(2) what has been the cost of the Building Research Establishment European standards section in each of the past five years; [23090]

(3) what has been the cost in each of the past five years of the representation of United Kingdom interests on *(a)* United Kingdom, *(b)* European and *(c)* international standards committees by Building Research Establishment employees; [23094]

(4) how many *(a)* United Kingdom, *(b)* European and *(c)* international standards committees employ staff from the Building Research Establishment as representatives of United Kingdom interests; and how many of these are leading the United Kingdom team on their committee. [23099]

Mr. Robert B. Jones: Building Research Establishment participation on United Kingdom, European and international standards committees, including steering committees, technical committees and working groups, is as follows:

	Standards committees		
	United Kingdom	*European*	*International*
Number of committees chaired by employees of the Building Research Establishment	33	22	5
Number of committees with employees from the Building Research Establishment as representatives of United Kingdom interests (excluding those chaired by BRE)	329	41	17
Number of BRE staff who are leading the United Kingdom team on European and international committees	—	7	4

The cost to the Department of the Environment of the Building Research Establishment European standards section for years prior to 1993–94 is not readily available. Since then, the cost to the DOE of the section—to support standards work—is: 1993–94 £244,000; 1995–96 £190,000 (budget). The cost in each of the past five years of the representation of United Kingdom interests on standards committees by Building Research Establishment employees is not separately identified as this is included within the research and application programme carried out for the DOE.

Mr. Raynsford: To ask the Secretary of State for the Environment (1) what has been the total building and fitting-out cost of the large building test facility at the Cardington site of the Building Research Establishment; [23100]

(2) what are the total estimated building and fitting-out costs of the Burn hall at the Building Research Establishment; [23102]

(3) what has been the total cost of building 16 at the Building Research Establishment. [23103]

Mr. Jones: The total investment in the large building test facility at the Cardington site to date is £1.68 million. The total estimated building and fitting-out costs of the Burn hall and the Garston site is £3.49 million. The total cost of the new environmental office and seminar block at the Garston site—replacing building 16—to date is £1.52 million, excluding demolition cost of the old building: the estimated total cost of the building to completion is £3.83 million.

Mr. Raynsford: To ask the Secretary of State for the Environment what has been the cost of research carried out for his Department by the Building Research Establishment in each of the past five years; and what is the budget for such research in *(a)* 1995–96, *(b)* 1996–97 and *(c)* 1997–98, (i) in total and (ii) as a percentage of his Department's total research expenditure. [23091]

Mr. Jones: Expenditure on research and technical advice from the Building Research Establishment for the DOE in each of the past five years was:

1990–91: £22.1 million[1]

1991–92: £26.2 million[1]

1992–93: £34.1 million

1993–94: £34.0 million

1994–95: £34.4 million

1995–96: £34.6 million (estimated).

As percentages of the Department's total research expenditure, the figures are:

34.2 per cent.

32.9 per cent.

40.0 per cent.

37.5 per cent.

37.4 per cent.

39.3 per cent. (estimated).

Firm estimates for future years are not available. They will depend on the outcome of the bidding and tendering process for the DOE's programme.

[1] Figures exclude expenditure by the energy efficiency office, which became part of the DOE in 1992–93.

Mr. Raynsford: To ask the Secretary of State for the Environment (1) if he will place in the Library a copy of PA Consulting's report on the future of the Building Research Establishment; [23095]

(2) when he expects to publish Government proposals for the future of the Building Research Establishment; [23096]

(3) what assessment he has made of the advantages of developing the Building Research Establishment as a national construction centre. [23097]

Mr. Jones: My right hon. Friend the Secretary of State has considered carefully the report from PA Consulting on options for transferring the Building Research Establishment to the private sector. I have relayed to him the outcome of my meetings with representatives of the construction industry. He has taken into account also the views of the advisory group which oversaw the work of the consultants, of BRE management and of BRE staff who made their position known to the consultants, to his Department and to me. He has concluded that BRE should remain as a single entity because it offers a unique range of complementary skills and technologies and fragmentation would substantially increase costs to customers and reduce efficiency. He has also concluded that one of the two alternative recommendations proposed by PA Consulting sets out the right route towards BRE's future structure. It is his view that the best future for BRE would be as part of a national centre for construction, established by the construction industry to improve industry technology, innovation and competitiveness.

This gives the construction industry the opportunity to translate into reality its concept of a national centre for construction—NCC—which would encompass BRE and would take the form of a company limited by guarantee. This approach would channel directly BRE's expertise towards stimulating innovation and helping the industry improve its performance while maintaining the objectivity

and independence of BRE advice. The Government are prepared to share in the funding of a study which the industry proposes to set in hand so as to put in place within six months a business plan for an NCC. My right hon. Friend would look to the industry to take account of the views of BRE management and staff and the university sector, such as that already initiated by University College London in developing this plan. He is clear, however, that delivery of a satisfactory business plan carrying industry commitment to ownership is essential within the six-month deadline if the proposal for an NCC encompassing BRE is to proceed.

My right hon. Friend wishes to ensure that the transfer of BRE to an NCC can be implemented swiftly at the end of the six-month planning period. He has therefore put in hand work within his Department on preparations which would lead rapidly at the end of the six-month period to the implementation of the NCC plan by February 1997. As a contingency, however, against the possibility that the industry is unable to prepare a satisfactory plan within the initial six months, the Department will also prepare for sale or contractorisation of BRE to be completed by February 1997. This would be achieved through competitive tender under arrangements to maintain the independence, objectivity and authority which BRE currently provides. If no satisfactory purchaser were to emerge, a competitive contract would be let for management of BRE.

My right hon. Friend has placed in the Library of the House a copy of the report from PA Consulting, though such commercially sensitive information as might be of use to a potential purchaser has been removed. He has also placed in the Library the report of the advisory group which oversaw the consultants' study.

Mr. Garel-Jones: To ask the Secretary of State for the Environment if he will make a statement on the transfer of the Building Research Establishment to the private sector. [24784]

Mr. Gummer: I have considered carefully the report from PA Consulting on options for transferring the Building Research Establishment to the private sector. My hon. Friend the Minister of State has relayed to me the outcome of his meetings with representatives of the construction industry. I have taken into account also the views of the advisory group which oversaw the work of the consultants, of BRE management and of BRE staff who made their position known to the consultants, to my Department and to the Minister of State direct. I have concluded that BRE should remain as a single entity because it offers a unique range of complementary skills and technologies and fragmentation would substantially increase costs to customers and reduce efficiency. I have also concluded that one of the two alternative recommendations proposed by PA Consulting sets out the right route towards BRE's future structure.

It is my view that the best future for BRE would be as part of a national centre for construction—NCC—established by the construction industry to improve industry technology, innovation and competitiveness.

This gives the construction industry the opportunity to translate into reality its concept of a national centre for construction which would encompass BRE and would take the form of a company limited by guarantee. This approach would channel directly BRE's expertise towards stimulating innovation and helping the industry improve its performance while maintaining the objectivity and independence of BRE advice. The Government are prepared to share in the funding of a study which the industry proposed to set in hand so as to put in place within six months a business plan for an NCC. I would look to the industry to take account of the views of BRE management and staff and the university sector, such as that already initiated by University College London in developing this plan. I am clear, however, that delivery of a satisfactory business plan carrying industry commitment to ownership is essential within the six-month deadline if the proposal for an NCC encompassing BRE is to proceed.

I wish to ensure that the transfer of BRE to an NCC can be implemented swiftly at the end of the six-month planning period. I have therefore put in hand work within my Department on preparations which would lead rapidly at the end of the six-month period to the implementation of the NCC plan by February 1997. As a contingency, however, against the possibility that the industry is unable to prepare a satisfactory plan within the initial six months, my Department will also prepare for sale or contractorisation of BRE to be completed by February 1997. This would be achieved through competitive tender under arrangements to maintain the independence, objectivity and authority which BRE currently provides. If no satisfactory purchaser were to emerge, a competitive contract would be let for management of BRE.

I have placed in the Library of the House a copy of the report from PA Consulting, though such commercially sensitive information as might be of use to a potential purchaser has been removed. I have also placed in the Library the report of the advisory group which oversaw the consultants' study.

Homelessness

Mr. Raynsford: To ask the Secretary of State for the Environment if he will list by standard housing region the number of households accepted as homeless by each local authority in England in 1995. [23108]

Mr. Curry: I refer the hon. Member to the answer that my right hon. Friend the Parliamentary Under-Secretary of State gave to the hon. Member for Coventry, South-East (Mr. Cunningham) on 19 March 1996, *Official Report*, column *137*.

Waste Incinerators

Mr. Kilfoyle: To ask the Secretary of State for the Environment how many waste incinerators there are in the United Kingdom; and how many of them meet European Union standards. [23156]

Mr. Clappison: A figure for the total number of waste incinerators in the United Kingdom is not readily available. Depending upon the size of the incinerator and the type of waste being burnt, the operation of incinerators is regulated by HM inspectorate of pollution, HM industrial pollution inspectorate in Scotland, the Department of the Environment in Northern Ireland or local authorities.

The EU legislation relating to waste incineration contains implementation dates by which existing units have to meet new standards. In some cases, tighter emission standards have been agreed. The implementation dates for these various standards have not yet been reached.

Construction Research

Mr Raynsford: To ask the Secretary of State for the Environment what was the total expenditure of his Department in each of the past five years and what is the budget for *(a)* 1995–96, *(b)* 1996–97 and *(c)* 1997–98 for research on construction-related matters commissioned from organisations other than the Building Research Establishment, (i) in total (ii) as a percentage of his Department's total research expenditure; and if he will list the organisations which have been commissioned to undertake such research. [23092]

Mr. Robert B. Jones: Expenditure on research and technical advice on construction-related matters commissioned from organisations other than the Building Research Establishment in each of the past five years was:

1990–91: £2.3 million
1991–92: £2.8 million
1992–93: £3.0 million
1993–94: £3.4 million
1994–95: £4.8 million
1995–96: £6.6 million (estimate).

A percentage of the Department's total expenditure on research and technical advice the figures are:

13.6 per cent.
3.5 per cent.
3.5 per cent.
3.7 per cent.
4.7 per cent.
7.5 per cent.

Firm estimates for future years are not available. They will depend on the outcome for the bidding and tendering process for the DOE's programme.

A list of organisations other than the BRE from which such research has been commissioned is attached.

Association of Consulting Architects
Association of Consulting Engineers
Allied Steel and Wire
Aston Materials Services
Aston University
British Constructional Steelwork Association
Building Environmental Performance Analysis Club
Better Business Opportunities
Black Horse Agencies
Billington Osborne-Moss Engineering Ltd.
British Precast Concrete Federation
Brick Development Association
Brighton Polytechnic
British Board of Agrément
British Cement Association
British Ceramic Research Association
British Masonry Society
British Standards Institution
British Steel Corporation
British Steel Tubes and Pipes
British Stone Ltd.
Building Services Research and Information Association
Builders Merchants Federation
Building Centre Trust
Building Employers Confederation
Business Round Table
Business Strategies
Business and Trade Stats Ltd.,
C.C.M.I.
Camden Consultancy
Construct Concrete Structures Group Ltd.
Ceram Building Technology
Construction Forecasting and Research Ltd.
Chartered Institute of Building Services Engineers
Chartered Institute of Building Services Engineers Journal
Construction Industry Computing Association
Chartered Institute of Building
Construction Industry Research and Information Association
Construction Industry Council
Consumer Association
Cranfield University
Construction Research Communication Ltd.
Cyril Sweett and Partners
Dundee Institute of Technology
Dytechna Ltd.
ECD Energy and Environment Ltd.
Engineering and Physical Sciences Research Council
Federation of Civil Engineering Contractors
Fosroc
Four Elements
Halcrow Gilbert Associates Ltd.
Housing Association Property Mutual Ltd.
Haverstock Associates
Heriot-Watt University
Hooke Forest
HR Wallingford Group Ltd.
Hydraulics Research Ltd.
Institution of Civil Engineers
Imperial College
Independent Thatch Consultants
Institute of Building Control
International Fire Consultants Ltd.
Interlock Ltd.
IPRA
Jenkins and Potter
John Ritter
Kingston University
Kingsway Group
Lancaster University
Lant

Loss Prevention Council
Loughborough University
Michael Slattery and Associates
Mott Macdonald Consultants
Napier University
National Physical Laboratory
NBA Tectonics Ltd.
NBS Services
National Economic Development Office
National Federation of Painting and Decorating Contractors
Open University
Oscar Faber Applied Research
Ove Arup and Partners
Oxford Polytechnic
P-E International plc
Paint Research Association
PF Consultants
Poole Associates
Prest
Reading Construction Forum Ltd.
RHM Technology
Royal Institute of British Architects
Richard Rogers Architects
Royal Institute of Chartered Surveyors
Rosborough Stollard Ltd.
Salford University
Sandberg Consultants
Sir Owen Williams
South Bank Polytechnic
South Bank University
Steel Construction Institute
Tavistock Institute
Taywood Engineering Ltd.
TBV Science
Technopolis
The City University
The Concrete Society
The Welding Institute
Threshold Architects
Touche Ross
Timber Research and Development Association
UCLI LTD.
University of Bath
University of Belfast
University of Brighton
University of Dundee
University of Manchester Institute of Science and Technology
University of Reading
University of Sheffield
University of Strathclyde
University of Surrey
University of Ulster
University of Warwick
W. A. Atkins (Structural)
Warrington Fire Research
Wimpey Environmental Ltd.
Water Research Centre
WS Atkins Consultants.

River Thames

Mr. Raynsford: To ask the Secretary of State for the Enviornment what *(a)* research and *(b)* consultancy has been commissioned by (i) his Department, (ii) the Government office for London, (iii) the River Thames working group and (iv) the Thames advisory group in each of the past two years on matters relating to the River Thames; and if he will list the organisation as undertaking this work and its total cost. [23093]

Sir Paul Beresford: Research and consultancy work for the above groups on matters relating to the Thames is commissioned by the Government office for London. The following work has been commissioned in the past two years:

Research	*Consultancy*
1994–95	
Research for River Thames Working group report	Wootton Jefferys
Thames strategy	Ove Arup Partnership
1995–96	
Survey of upriver wharves on the tidal Thames	London Rivers Association
The business case for a passenger transport service on the River Thames	London First, KPMG, Steer Davies Gleave

The total cost to the Government of this work was £146,043.

The Government office for London has also contributed a total of £37,500 in 1995–96 towards urban design schemes for Thames-side sites in Southwark and Hounslow.

MOD Married Quarters Estate

Mr. Raynsford: To ask the Secretary of State for the Environment what assumptions have been made about the potential contribution towards the Government's target for social lettings deriving from the Ministry of Defence married quarters estate. [23101]

Mr. Curry: None. It is for local housing authorities and housing associations to decide how to apply their resources to create social lettings, and to consider what use they may be able to make of surplus MOD housing that becomes available in their local area.

Housing Renewal (Leicester)

Mr. Vaz: To ask the Secretary of State for the Environment what representations he has received concerning housing renewal issues in Jermyn street, Leicester. [23667]

Mr. Clappison: No representations have been received about housing renewal issues from the residents of Jermyn street, Leicester.

Mr. Vaz: To ask the Secretary of State for the Environment when he will be prepared to meet representatives of the residents of Jermyn street, Leicester, and the hon. Member for Leicester, East to discuss housing renewal issues. [23668]

Mr. Clappison: It is primarily for the Leicester city council to respond to the concerns of residents of Jermyn street, Leicester, about these housing renewal issues. Accordingly, I suggest that the hon. Member contacts the city's director of housing to discuss a possible meeting.

Prisoners (Donated Organs and Brains)

Mr. Cohen: To ask the Secretary of State for the Environment if *(a)* donated organs and *(b)* brains removed from deceased prisoners are classed as waste under the European definition of waste and require the completion of waste transfer notes under the duty of care regulations. [23666]

Mr. Clappison: Whether a substitute or object is waste must be determined on the facts of the case and the interpretation of the law is a matter for the courts. In any particular case, the key question is whether the holder of a substance or object is discarding it or intends or is required to do so.

The Department has provided guidance on the interpretation of the definition of waste in annex 2 to DOE circular 11/94. On the basis of this guidance, the Department's view is that:

(a) human organs removed with the intention of their being used in a transplant operation or subjected to pathological examination have not been discarded and should not be regarded as waste; and

(b) if human organs are consigned for disposal in a process such as incineration because they have been discarded, they should be regarded as waste and would be subject to the duty of care as a controlled waste.

EDS Ltd.

Mr. Redmond: To ask the Secretary of State for the Environment, pursuant to his answer of 28 February to the hon. Member for Wallasey (Ms Eagle), *Official Report*, column *640*, what are the penalties involved should he seek early termination of the contract with EDS; what contracts his agencies have with EDS; and if he will make a statement. [23717]

Sir Paul Beresford: The Department's contract conditions enable it to terminate for breach of contract and sue the contractor for damages up to the limit permissible under general contract law.

The Department's agencies currently have no contracts with EDS.

Asylum Seekers

Mr. Chris Smith: To ask the Secretary of State for the Environment if the additional funds made available to local authorities to cover part of the extra expenditure they will incur as a result of the withdrawal of benefits from asylum seekers will count towards the capping limit for their expenditure; if the capping limit will apply *(a)* to funds local authorities have to contribute to looking after the needs of such asylum seekers and *(b)* to funds that will be reimbursed by the Government; and what will be the position of those authorities already at or near their capping limit. [24014]

Mr. Curry: The funds made available to local authorities will be by way of special grant; they will, therefore, have no impact on an authority's budget requirement and will fall outside capping. Any expenditure incurred by local authorities that is not covered by the grant will form part of their budget requirement and therefore will be subject to capping.

Joint Nature Conservation Committee

Mrs. Ray Michie: To ask the Secretary of State for the Environment what the budget of the Joint Nature Conservation Committee will be for 1996–97 for *(a)* England, *(b)* Wales, *(c)* Northern Ireland and *(d)* Scotland. [23825]

Mr. Clappison: The total allocation to the Joint Nature Conservation Committee for 1996–97 will be £4.465 million, made up as follows:

	£ million
(a) English Nature	2.515
(b) Countryside Council for Wales	0.700
(c) Northern Ireland	nil
(d) Scottish Natural Heritage	1.250

Mrs. Michie: To ask the Secretary of State for the Environment how many ecologists were employed by the Joint Nature Conservation Committee in *(a)* 1994–95 and *(b)* 1995–96; and what is the proposed number for 1996–97. [23826]

Mr. Clappison: The number of staff with relevant scientific qualifications employed by the JNCC's support unit for the years in question are:

Year	*Permanent*	*Fixed-term appointments*
1994–95	21	43
1995–96	24	36
1996–97	24	36

The figures for 1996–97 are for staff in post at 1 April. It is impossible to predict how this figure will alter during the year due to resignations or terminations of fixed-term appointment contracts.

London Docklands Development Corporation

Ms Gordon: To ask the Secretary of State for the Environment to what extent the salary of the chief executive of the London Docklands development corporation is performance related; what targets are used to measure his performance; and what account is taken of the income from the sale of land. [24106]

Sir Paul Beresford: The employment contract of the London Docklands development corporation's chief executive provides for an annual salary reviewable by the corporation's remunerations committee each year. Any increase proposed by the committee and supported by the corporation's board is subject to the approval of the Secretary of State with the consent of the Treasury. In

addition, the chief executive is eligible for a non-consolidated performance-related payment of up to 10 per cent. each year at the discretion of the committee. The targets against which the chief executive's performance is measured are set by the committee and supported by the board. Income, from whatever source, is just one aspect of over 30 benchmarks designed to assess the effectiveness of the chief executive's overall operational and financial management for the purposes of performance-related pay.

Details of the chief executive's remunerations are contained in the corporation's published annual report and financial statements. Copies are placed in the House Libraries each year.

Organophosphates

Mr. Llwyd: To ask the Secretary of State for the Environment what arrangements his Department has made since 1992 to ensure that guidance note MS17 from the Health and Safety Executive is circulated to HSE field officers; and if he will make a statement. [23829]

Sir Paul Beresford: Copies of guidance note MS17 have been distributed to the area offices of the Health and Safety Executive for use by field inspectors and copies have been issued to the Employment Medical Advisory Service.

Dog Registration

Mr. Sutcliffe: To ask the Secretary of State for the Environment if he will assess the advantage of a national registration scheme for dogs. [22550]

Mr. Clappison: No. Our policy is to look at the specific issues related to dogs rather than impose a national registration scheme.

Regulations

Mr. Steen: To ask the Secretary of State for the Environment which of the 1,000 regulations identified for repeal or amendment by the Prime Minister are the responsibility of his Department; of those which *(a)* have been repealed or amended and *(b)* are planned to have been repealed or amended by the end of the 1995–96 parliamentary Session; and if he will list those whose repeal has saved business more than £1 million per annum. [23655]

Sir Paul Bereford: I refer my hon. Friend to the reply given earlier today by my right hon. Friend the Chancellor of the Duchy of Lancaster.

Council Tax

Mr. Dunn: To ask the Secretary of State for the Environment if he will publish the percentage increase for band D council tax for each local authority in England for the year 1996–97 relative to the year 1995–96 [24167]

Sir Paul Beresford: I refer my hon. Friend to the answer given by my hon. Friend the Minister for Local Government, Housing and Urban Regeneration to my hon. Friend the Member for Eastbourne (Mr. Waterson) on 20 March 1996, *Official Report*, column *213*.

Sefton Metropolitan Borough Council

Mr. Rendel: To ask the Secretary of State for the Environment when he expects the review of the boundaries of Sefton metropolitan borough council to begin; and when the review will be completed. [24276]

Mr. Curry: I expect the Local Government Commission's review of Sefton to start later this year. The exact start date and the length of the review will be the subject of discussion with the commission, taking into account the other priority tasks which the commission has to undertake.

Menwith Hill Station

Mr. Madden: To ask the Secretary of State for the Environment what action the Health and Safety Executive is taking to examine whether the people of Thornthwaite with Padfield parish, near Harrogate, are at risk of cancer from radomes located at Menwith Hill station; what co-operation there is between the HSE and North Yorkshire health authority in this matter; when inquiries are expected to be completed; to whom the report will be submitted; and if he will make a statement. [24367]

Sir Paul Beresford: The Health and Safety Executive was contacted by Harrogate borough council in February seeking views on possible risks associated with operations at Menwith Hill and the incidence of cancer in the area. Inquiries have been initiated, including contact with the North Yorkshire health authority and a response will be made to the borough council as soon as practicable.

Environmental Technology

Ms Ruddock: To ask the Secretary of State for the Environment if he will assess which industries were the top five largest spenders on environmental technology in *(a)* 1990, *(b)* 1991, *(c)* 1992, *(d)* 1993, *(e)* 1994 and *(f)* 1995. [24112]

Mr. Clappison: Expenditure by industry on environmental technology is not available by industrial sector. In 1990, the top five spending industries on pollution control, including capital and current spending, are listed below, together with estimated amounts spent. This information is taken from the results of a research report, "A Review of UK Environmental Expenditure", published by Her Majesty's Stationery Office in 1993.

	Expenditure in 1990 £ million
Chemicals	580
Energy	550
Metals	450
Food processing	360
Engineering	330

No information is available for other years. A survey is being carried out by my Department on environmental spending by industry in 1994 and the result of this study will be published in May 1996.

Compulsory Competitive Tendering

Mr. Elletson: To ask the Secretary of State for the Environment when he will issue the new guidance on the conduct of compulsory competitive tendering; and if he will make a statement. [24586]

Sir Paul Beresford: Following consultation on the draft guidance, issued on 15 October 1995, we have today published a new departmental circular No. 5/96—Welsh Office No. 11/96—which provides guidance on the conduct of compulsory competitive tendering.

The Department received 222 responses to the consultation exercise. Of these, 162—or 73 per cent.—were from local authorities and related organisations. Thirty-two—or 15 per cent.—were received from contractors and trade associations. Police and fire authorities submitted 12—or 5 per cent.—of the responses and there were 16—or 7 per cent.—other responses. A further 15 responses were received by the Welsh Office and 45 by the Scottish Office, in both cases predominantly from local authorities. I have today placed a list of responses in the Library of the House. Copies of the responses are held in the Department's library.

Respondents broadly welcomed the move away from detailed emphasis on anti-competitive behaviour practices as set out in DOE circular 10/93—Welsh Office circular 40/93.

The new guidance identifies five principles for good tendering practice which local authorities are required to apply in subjecting work to compulsory competitive tendering. These stress the need for transparency and fairness as between potential contractors, and for key decisions to be informed by market conditions.

Local authorities are expected to provide clear account of the way in which key strategic decisions affecting the tendering process have been taken. The guidance also encourages authorities to provide reports to appropriate committees at key stages. These reports should explain the way in which strategic decisions are compatible with authorities' duty to avoid acting anti-competitively.

The circular makes clear that local authorities should consult, where appropriate, a range of suppliers and professional bodies before making decisions about the way in which work is selected and packaged for competition. Authorities will satisfy the provisions of the legislation only where they have taken steps to ensure that their tendering practices are consistent with securing a good market response.

The remaining principles encourage the adoption of output, rather than input, based specifications for services, require clear procedures for evaluating tenders to ensure that quality can be achieved and seek to ensure that the conduct of tendering between external contractors and in-house teams does not put any one of them at a disadvantage.

CCT has proved itself in delivering on price and quality. Average savings of 6.5 per cent. have been achieved and the same or higher standards have been adopted in the overwhelming majority of cases. I intend that the benefits of competition are made available to all local taxpayers.

The new guidance applies immediately to those services currently subject to competition. The Secretary of State will take into account the extent to which there has been a contravention of the guidance in determining whether authorities have acted anti-competitively.

Local Government Reorganisation

Mr. Elletson: To ask the Secretary of State for the Environment when he will direct the Local Government Commission to carry out the electoral reviews referred to in his answer of 14 March, *Official Report*, column *695*, to the hon. Member for Blackpool, North. [24590]

Mr. Curry: We are today directing the Local Government Commission to carry out electoral reviews of the eight areas where my right hon. Friend announced on 14 March that he was accepting the commission's recommendation that there should be unitary authorities. The eight areas are Blackburn, Blackpool, Halton, Peterborough—including minor boundary changes which the commission recommended and we have accepted—The Wrekin, Thurrock, Warrington, and the combined area of Gillingham and Rochester-upon-Medway.

We have asked the commission to submit its final reports by 3 December so that any new warding can be implemented in time for elections in May 1997.

Economic and Traffic Growth

Dr. Lynne Jones: To ask the Secretary of State for the Environment, pursuant to his press release of 28 February, if he will make a statement on the link between economic growth and traffic growth and its impact on the environment; and what assessment he has made of future trends. [23452]

Mr. Norris: I have been asked to reply.

I refer to the answers that I gave to the hon. Member on 18 March, *Official Report*, column *44* and on 26 March, *Official Report*, column *552*.

HEALTH

NHS Management (Termination Payments)

Mr. Milburn: To ask the Secretary of State for Health if he will provide up-to-date information on termination payments made by NHS trusts or health authorities to *(a)* chief executives and *(b)* general and senior managers including the number and amounts. [22170]

Mr. Malone *[holding answer 22 March 1996]:* The limited information available for 1995–96 shows that national health service trusts made four payments totalling £265,938 to chief executives and 92 payments totalling £1,930,588 to senior managers and that health authorities made 54 payments totalling £2,181,000 to general and senior managers.

NHS (Disciplinary Procedures)

Mr. Barron: To ask the Secretary of State for Health (1) if he will place in the Library the advice *(a)* his Department and *(b)* the NHS executive have received concerning disciplinary and legal aspects of the movement of staff between employers within the NHS; [22748]

(2) what plans he has to revise disciplinary procedures within the NHS as a result of the inquiry into the former Yorkshire regional health authority. [22736]

Mr. Malone: Disciplinary procedures for national health service staff employed on national terms and conditions are governed by the provisions of section 42 of the General Whitley Council handbook. This agreement provides the national framework within which each health authority determines it own procedures. NHS trusts are free to introduce their own arrangements.

Legal advice to Ministers is given in confidence. However, the general legal position is set out in paragraph 16 of the report by the Comptroller and Auditor General, HC280 Session 1995–96, a copy of which is available in the Library.

Conflicts of Interest

Mr. Barron: To ask the Secretary of State for Health what guidance he has issued, and when, to NHS personnel on the declaration of conflicts of interest. [22742]

Mr. Malone: Guidance on standards of business conduct for NHS staff, including conflicts of interest, was issued in HSG(93)5 on 18 January 1993. On 9 August 1995 the chief executive of the NHS executive wrote to all NHS employers re-emphasising the need for NHS bodies to follow the NHS regulatory framework and observe the codes of conduct and accountability. Executive letter (96)12 issued on 16 February 1996 again reminded NHS employers of the importance of avoiding potential conflicts of interest. Copies of these documents are available in the Library.

NHS Authorities (Cars)

Mr. Barron: To ask the Secretary of State for Health how many health service bodies have operated car leasing schemes within the last five years that have been contrary to regulations; how many vehicles have been involved; and what has been the cost to the NHS. [22744]

Mr. Malone: Information about the operation of car leasing schemes of health bodies is not available centrally.

Severance Cases

Mr. Barron: To ask the Secretary of State for Health what action has been taken on cases revealed by the departmental trawl of questionable severances in the health service. [22890]

Mr. Malone: The national health service executive, with the Treasury, has examined each case and action to recover moneys paid irregularly will be taken where it is feasible and cost-effective to do so.

General Practitioners (Computers)

Mr. Bayley: To ask the Secretary of State for Health how much money was paid to *(a)* fundholding and *(b)* non-fundholding general practitioner practices for computer hardware and software in 1990–91 and in each year since then; and how many (i) fundholding and (ii) non-fundholding practices and general practitioners there were at the end of each of those years. [23299]

Mr. Malone: Reimbursement of the costs of computerisation in general practice are shown in the list. The amount reimbursed in 1990–91, when the scheme was introduced, includes claims for the financial years 1989–90 and 1990–92. The apportionment of these costs between fundholders and other GPs is not available centrally .

1990–91: £17 million

1991–92: £34 million

1992–93: £40 million

1993–94: £39 million

1994–95: £47 million.

The related figures for the number of fundholding and non-fundholding practices and general practitioners are as follows:

Year	Number of fundholding: Practices	GPs	Number of non-fundholding: Practices	GPs
1990–91	0	0	9,354	25,622
1991–92	306	1,715	8,822	23,749
1992–93	587	3,159	8,578	22,664
1993–94	1,249	6,140	7,869	19,976
1994–95	2,066	8,889	7,045	17,498

Source:
Information prior to 1993-94 is a mixture of enhanced GP census data (about all GPs) and regional health authority data (about GP fundholders);
All information on 1993-94 and 1994-95 is from the enhanced GP census.

Alzheimer's Disease

Mr. Morley: To ask the Secretary of State for Health how many cases of Alzheimer's disease there have been in each year since 1990. [23405]

Mr. Bowis: Information on the number of cases of Alzheimer's disease is not available centrally.

Nurses and Midwives

Ms Jowell: To ask the Secretary of State for Health what is the total number of staff on each spine point of the senior nurses and midwives pay spine; and what is the number of female staff on each spine point. [23730]

Mr. Malone: The information is shown in the table.

NHS Hospital and Community Health Services (HCHS) staff on senior nursing and midwifery pay scales (excluding agency) by spine point

England at September 1994 — *Whole-time equivalents*

Spine point	All senior nurses and midwives	Female senior nurses and midwives
1	[1]—	[1]—
2	[2]—	[1]—
3	[2]—	[2]—
4	[2]—	[2]—
5	10	[2]—
6	10	[2]—
7	[2]—	[2]—
8	10	[2]—
9	10	10
10	20	10
11	20	10
12	100	80
13	30	20

NHS Hospital and Community Health Services (HCHS) staff on senior nursing and midwifery pay scales (excluding agency) by spine point

England at September 1994 — *Whole-time equivalents*

Spine point	*All senior nurses and midwives*	*Female senior nurses and midwives*
14	50	40
15	100	70
16	120	80
17	160	120
18	200	150
19	190	140
20	120	90
21	100	80
22	100	70
23	40	30
24	30	20
25	10	10
26	30	20
27	10	10
28	[2]—	[2]—
29	20	10
30	50	40
Others[3]	350	250
Total	1,880	1,380

Notes:

[1] Denotes zero.

[2] Denotes 5 or fewer.

[3] 'Others' are those on senior nursing and midwifery pay scales who cannot be apportioned to spine points.

Figures are rounded to the nearest 100.

Totals may not equal sum of components due to rounding.

Source:

Department of Health non-medical work force census.

Bovine Spongiform Encephalopathy

Mr. Thurnham: To ask the Secretary of State for Health if he will list the establishments assessed by his Department to be leading centres of scientific excellence worldwide on bovine spongiform encephalopathy and Creutzfeldt-Jakob-type diseases; what contact the Government have had with these centres in the past; and what use the Government propose to make of them in the future. [23393]

Mr. Horam: The Spongiform Encephalopathy Advisory Committee regularly reviews international research into spongiform encephalopathies. The director of the national Creutzfeldt-Jakob disease surveillance unit co-ordinates a European Community-funded project which brings together those working on this disease throughout Europe. We recognise the need to make full use of knowledge and expertise from a wide range of sources to extend our understanding of spongiform encephalopathies.

Dr. Lynne Jones: To ask the Secretary of State for Health what research he has evaluated on the nature of the infective agent in BSE and Creutzfeldt-Jakob disease; and if he will make a statement. [24175]

Mr. Horam: The Government receive expert advice on bovine spongiform encephalopathy and Creutzfeldt-Jakob disease from the Spongiform Encephalopathy Advisory Committee—SEAC—the advice of which takes account of the results of all relevant research and surveillance. In February 1995, SEAC published "Transmissible Spongiform Encephalopathies: A Summary of Present Knowledge and Research", copies of which have been placed in the Library.

Vaccinations

Ms Harman: To ask the Secretary of State for Health if he will list the annual cost of universal vaccination of children for *(a)* measles-rubella, *(b)* bacille-Calmette-Guerin, *(c)* polio, *(d)* HIB, *(e)* diphtheria, *(f)* tetanus and *(g)* pertussis. [23400]

Mr. Horam: The cost to the Department of Health's vaccine supply budget of purchasing vaccines for the childhood immunisation programme for 1995–96 was £39 million, whilst £1.74 million was allocated to the Health Education Authority for promotion and publicity. In 1994–95, the last year for which figures are available, £53.6 million was paid out to general practitioners in immunisation target payments. Figures on the cost of health care workers administering vaccines and delivery of school based immunisation programmes such as bacille-Calmette-Guerin are not available centrally.

Bovine Serum

Dr. Lynne Jones: To ask the Secretary of State for Health what assessment he has made of health risks involved in the use of bovine serum for the production of vaccines for *(a)* human and *(b)* animal use. [23518]

Mr. Horam: I refer the hon. Member to the reply I gave the hon. Member for Woolwich (Mr. Austin-Walker) on 26 March, *Official Report*, column *517*. United Kingdom licensed vaccines comply fully with European guidelines produced by the European Committee on Proprietary Medicinal Products, "Minimising the risk of transmission of agents causing spongiform encephalopathies via medicinal products", copies of which are available in the Library. Currently, licensed vaccines do not contain any bovine material sourced from the United Kingdom. Matters regarding the production for vaccines for animals are the responsibility of my right hon. and learned Friend the Minister of Agriculture, Fisheries and Food.

Dr. Jones: To ask the Secretary of State for Health if serum of bovine origin is used in the production of vaccines for *(a)* human and *(b)* animal use. [23516]

Mr. Horam: I refer the hon. Member to the reply I gave the hon. Member for Woolwich (Mr. Austin-Walker on 26 March, *Official Report*, column *517*. The manufacture of vaccines can involve the use of foetal calf serum, but this is reduced to minute levels in the finished vaccine in line with the European Union-World Health Organisation guidelines. Foetal calf serum used in the manufacture of United Kingdom licensed vaccines is sourced from outside the UK and no bovine spongiform encephalopathy infectivity has been detected in foetal calf serum. Matters regarding the production of vaccines for animals are the responsibility of my right hon. and learned Friend the Minister of Agriculture, Fisheries and Food.

Dr. Jones: To ask the Secretary of State for Health what controls are in place in respect of the country of origin of serum of bovine origin used in the production of vaccines for *(a)* human and *(b)* animal use. [23517]

Mr. Horam: I refer the hon. Member to the reply I gave the hon. Member for Woolwich (Mr. Austin-Walker) on 26 March, *Official Report*, column *517*. Manufacturers of vaccines are bound, by the conditions of their product licence, to comply with the European Committee on Proprietary Medicinal Products guidelines on "Minimising the risk of transmission of agents causing spongiform encephalopathies via medicinal products", copies of which are available in the Library. Matters regarding the production of vaccines for animals are the responsibility of my right hon. and learned Friend the Minister of Agriculture, Fisheries and Food.

Creutzfeldt-Jakob Disease

Mr. David Shaw: To ask the Secretary of State for Health how many of the *(a)* possible and *(b)* proven CJD cases being examined relate to individuals who have had (i) contact and (ii) extensive contact with (1) dogs and (2) other domestic animals. [23529]

Mr. Horam: The national Creutzfeldt-Jakob disease surveillance unit has not so far identified contact with domestic animals as a possible risk factor for CJD.

Dementia

Ms Harman: To ask the Secretary of State for Health what was the incidence of encephalitis, dementia and Alzheimer's disease in *(a)* under and *(b)* over 65-year-olds in each of the last 10 years. [23426]

Mr. Bowis: Information on the incidence of dementia and Alzheimer's disease is not available centrally. It is estimated that there are currently around 600,000 sufferers from dementia. Information on the number of notifications of all forms of encephalitis is not available centrally. Information on the number of notifications of acute encephalitis can be found in the annual reference volumes in communicable disease statistics—series MB2—copies of which are available in the Library.

Solid Services Review

Mr. David Atkinson: To ask the Secretary of State for Health what are the terms of reference and objective of his review of social services; when he expects it to be completed; and if he will make a statement. [24135]

Mr. Bowis: The Department is working with local government interests to clarify trends in, and the factors generally influencing, social services costs, expenditure and service level and to improve the presentation of relevant data and their helpfulness to local social services authorities in their assessment of their own performance compared to national trends.

Tuberculosis and Creutzfeldt-Jakob Disease

Mrs. Lait: To ask the Secretary of State for Health what is the incidence per head of population of *(a)* tuberculosis and *(b)* Creutzfeldt-Jakob disease. [23772]

Mr. Horam: The provisional notification rate for tuberculosis—excluding chemoprophylaxis—for England and Wales for 1995 is 10.9 per 100,000 of the population (source, Office for National Statistics).

Data to the end of 1994 on Creutzfeldt-Jakob disease are published in the CJD surveillance unit's fourth annual report, copies of which are available in the Library. Provisional data so far suggest that the incidence in 1995 will be lower than in 1994.

Tuberculosis

Mrs. Lait: To ask the Secretary of State for Health what change there has been in United Kingdom TB cases in the last 20 years. [23771]

Mr. Horam: The number of notifications of tuberculosis in the United Kingdom in 1975 was 12,620 and in 1995 was 6,249—provisional. This is a decrease of 50 per cent.

Mrs. Dunwoody: To ask the Secretary of State for Health how many cases of tuberculosis occurred in the United Kingdom in each year between 1982 and 1993. [24358]

Mr. Horam: The number of notifications of tuberculosis in the United Kingdom is published in table 3.31 of the "Annual Abstract of Statistics". Information for the years 1982 to 1993 is set out in the 1994 and 1995 editions and is shown in the table:

Year	*Number of notifications of tuberculosis in the UK*[1]
1982	8,453
1983	7,795
1984	7,041
1985	6,647
1986	6,857
1987	5,745
1988	5,778
1989	6,059
1990	5,897
1991	6,078
1992	6,441
1993	6,564
1994	[2]6,229
1995	[2]6,249

[1] Annual Abstract of Statistics. Source: Scottish Health Service Common Services Agency; Department of Health and Social Services (Northern Ireland); and Office of Population Censuses and Surveys.
[2] Provisional.

Mrs. Dunwoody: To ask the Secretary of State for Health when he intends to introduce a system for identifying and screening population groups at high risk from tuberculosis; and if he will make a statement. [24350]

Mr. Horam: Those population groups at highest risk from tuberculosis include close contacts of patients with infectious tuberculosis, immigrants from countries with a high prevalence of tuberculosis and their families, and homeless people who sleep rough or who use open access hostels for the homeless. Screening of contacts of patients with infectious tuberculosis and of new immigrants from countries with a high prevalence of tuberculosis is already part of United Kingdom policy. The interdepartmental working group on tuberculosis has considered how

prevention and control measures amongst high-risk groups, including the homeless, might be improved and its report on this aspect has recently been presented to Ministers. In addition, the Department of Health, working with the Home Department, is presently reviewing port of arrival arrangements for screening of new arrivals entering the United Kingdom from countries where the incidence of tuberculosis is high.

Mrs. Dunwoody: To ask the Secretary of State for Health when he intends to implement a programme for more rapid and effective testing of infective tuberculosis cases. [24248]

Mr. Horam: The current programme for identification of infectious tuberculosis cases uses the best available reliable and verified tests. Patients with tuberculosis are infectious to others when they have tubercule bacilli in their sputum. There are readily available and rapid laboratory procedures for the identification of such cases—sputum smear positive. Sputum smear negative cases are generally not infectious to others. Effective laboratory tests are available for identifying such cases; however, these take longer than sputum smear positive tests and more rapid tests are currently under development.

Mrs. Dunwoody: To ask the Secretary of State for Health if he will list, for each year since 1985, the number of cases of multi-drug-resistant tuberculosis reported in the United Kingdom, and if they are primary or secondary resistance cases; and if he will make a statement. [24347]

Mr. Horam: Until recently, no system existed for the routine collection of national data of cases of multi-drug-resistant tuberculosis. Information on the general trends of such drug resistance has been maintained through the regular five-yearly surveys of tuberculosis notifications conducted by the public health laboratory service—PHLS. Information from the surveys are shown:

Year of survey	*Number of newly notified cases of multi-drug-resistant tuberculosis (MDRTB)*
1983	0 cases of MDR TB out of 981 TB patients surveyed
1988	1 case of MDR TB out of 840 TB patients surveyed
1993	2 cases of MDR TB out of 832 TB patients surveyed

A special review conducted by the PHLS, and published at the end of 1993, collated information on cases of multi-drug resistance in England and Wales between 1982 and 1991. The review used information from PHLS regional tuberculosis centres, from the PHLS mycobacterium reference unit and reports from hospital laboratories to the PHLS communicable disease surveillance centre; figures from that study are shown in the table:

Year	*Number of case of MDR TB*
1985	9
1986	12
1987	7
1988	15
1989	11
1990	8
1991	14

The review highlighted the need for fuller monitoring of this problem and in 1994 a surveillance scheme—Mycobnet—was established by the PHLS communicable disease surveillance centre to monitor drug resistance in isolates of mycobacterium tuberculosis. Data from the first year of Mycobnet will be published shortly.

The most important measure in preventing the emergence of drug-resistant tuberculosis, including multi-drug-resistant tuberculosis, is to ensure that patients with tuberculosis are fully and correctly treated. The United Kingdom's excellent record in tuberculosis control has resulted in multi-drug-resistant tuberculosis in the UK remaining at low levels. To help ensure that this remains the case, as well as improving surveillance, an expert working group has been established under the auspices of the interdepartmental working group on tuberculosis to make specific recommendations for the prevention and control of drug-resistant tuberculosis.

Mrs. Dunwoody: To ask the Secretary of State for Health if he will make a statement on the current control and surveillance measures on tuberculosis in the United Kingdom. [24351]

Mr. Horam: National guidelines for the prevention and control of tuberculosis in the United Kingdom have regularly been produced by the British Thoracic Society. They were last updated in 1994. The measures recommended in the guidelines have been reviewed by the interdepartmental working group on tuberculosis and its recommendations for best practice were recently presented to Ministers and will be published shortly.

The three main measures for controlling tuberculosis in the United Kingdom continue to be:

reducing the pool of infectious cases by promptly identifying and treating them;

preventing progression to active disease in certain individuals by chemoprophylaxis;

increasing immunity to tuberculosis through bacille-Calmette-Guerin immunisation of schoolchildren and certain high-risk groups.

National surveillance of tuberculosis through the routine notification system has in recent years been supplemented by more detailed five-yearly surveys of notifications to give a clearer picture of trends in different population groups. Recommendations from the interdepartmental working group on tuberculosis for the future surveillance of tuberculosis are currently the subject of a wide consultation exercise.

Mrs. Dunwoody: To ask the Secretary of State for Helath what measures he intends to make adequate and appropriate treatment for tuberculosis more widely available; and if he will make a statement. [24349]

Mr. Horam: There are specialised chest clinics in every area supported by doctors experienced in the treatment of tuberculosis. It is the responsibility of health authorities to ensure that the provision of services is appropriate for the needs of their population.

Sellafield (Childhood Cancer)

Mr. Llew Smith: To ask the Secretary of State for Health if he will make a statement on his response to the fourth report of his committee on the medical aspects of radiation on childhood cancer in the vicinity of Sellafield; and what further work he has asked Committee on Medical Aspects of Radiation in the Environment to conduct on the problem. [23838]

Mr. Horam: I refer the hon. Member to the reply I gave my hon. Friend the Member for Beckenham (Mr. Merchant) on 27 March, *Official Report*, columns *663–65*.

Cancer Treatment Centres

Mr. Cousins: To ask the Secretary of State for Health what evidence of diagnostical practice and treatment protocols will be expected from future designated centres for gynaecological oncology services. [24257]

Mr. Horam: That is a matter to be agreed between commissioning authority and provider unit. Service configuration guidance for use by health authorities in their discussions with provider units is being developed.

Mr. Cousins: To ask the Secretary of State for Health what recent guidance he has issued to health authorities and trusts about the creation of designated cancer treatment centres; and by what process he intends such centres to be so designated. [24202]

Mr. Horam: EL(96)15 issued on 15 March gives further guidance on implementing the policy set out in the document "A Policy Framework for Commissioning Cancer Services". Copies of EL(96)15 have been placed in the Library.

Mr. Cousins: To ask the Secretary of State for Health what plans he has to designate centres for the treatment of gynaecological cancer; and if the existence and maintenance of agreed treatment protocols will form part of the tests for such designation. [24248]

Mr. Horam: The designation of cancer centres or units for the treatment of gynaecological cancer is a matter for the commissioning authority in discussion with provider units. The identification of local standards, to include treatment in line with agreed protocols and guidelines, should form part of contract negotiations.

Mr. Redmond: To ask the Secretary of State for Health if he will make it his policy to maintain a central record of oncology centres which have refused patients treatment on the grounds of lack of funds; and if he will make a statement. [24490]

Mr. Horam: It is for commissioning authorities in consultation with their provider units to determine the level and quality of services delivered to patients.

Prior Options Reviews

Mrs. Lait: To ask the Secretary of State for Health if work has commenced on the prior options reviews of establishments which his Department sponsors. [24542]

Mr. Horam: As indicated by my right hon. Friend the President of the Board of Trade in his announcement of the timetable for prior options reviews on 26 January 1996, *Official Report*, columns *421–23*, the outcome of reviews of the National Radiological Protection Board, National Biological Standards Board and the public health laboratory service are due to be reported to Ministers by December 1996.

Work has recently commenced on the review of the National Radiological Protection Board. Views are being invited from any interested parties by means of an advertisement in "Government Opportunities" and by a direct approach to key organisations and individuals.

Oral Contraceptives

Mr. Simon Hughes: To ask the Secretary of State for Health, pursuant to his answers of 11 December 1995, *Official Report*, column *521*, and 19 December 1995, *Official Report*, columns *1149* and *1153*, when the final manuscript from Professor Jick relating to third generation oral contraceptives was received by the Medicines Control Agency; and if it was included in the papers dispatched by courier at 16:00 on 11 October 1995. [22259]

Mr. Malone: The final manuscript of Professor Jick's study was received on 11 October 1995, after the papers were dispatched by courier. A near final version of the manuscript was included with the papers dispatched to committee members. There was no substantive change to the analysis in the final version.

Mr. Hughes: To ask the Secretary of State for Health, pursuant to his answer of 19 December 1995, *Official Report*, column *1150*, what new data, and from which studies, were presented to the Committee for Proprietary Medicinal Products at its meeting on 17 and 18 October 1995. [22260]

Mr. Malone: The committee was presented with findings from the three new epidemiological studies relating to the cardiovascular risks of second and third generation oral contraceptives; these were the World Health Organisation's study, the transnational study and the general practice research database study conducted by Professor Jick.

Mr. Hughes: To ask the Secretary of State for Health, pursuant to his answer of 19 December 1995, *Official Report*, column *1153*, on which Minister's authority the "Dear Doctor" letter of 18 October 1995 relating to safety concerns regarding desogestrel and gestodene was issued. [22261]

Mr. Malone: The then Under-Secretary of State, my hon. Friend the Member for Bolton, West (Mr. Sackville).

Mr. Hughes: To ask the Secretary of State for Health, pursuant to the answer on 19 December 1995, *Official Report*, column *1149*, when the Licensing Authority received a manuscript relating to the transnational study, and if the Licensing Authority received a final manuscript for that study. [22262]

Mr. Malone: I refer the hon. Member to the replies I gave the hon. Member for Gordon (Mr. Bruce) on 19 December, *Official Report*, columns *1149* and *1153*. The Licensing Authority has not received a manuscript relating to the transnational study from the investigators. The Licensing Authority has seen the report of the study published in the *British Medical Journal* on 13 January 1996.

Mr. Hughes: To ask the Secretary of State for Health if a referral of the matters relating to combined oral contraceptives containing desogestrel or gestodene was made to the Law Officers in terms of paragraph 22 (i) or 22 (ii)(c) of "Questions of Procedure for Ministers" of May 1992, prior to the referral to the Committee for Proprietary Medicinal Products made on 11 October 1995. [23268]

Mr. Malone: It is not normal practice to disclose whether the advice of Law Officers has been sought in any particular case.

Mr. Hughes: To ask the Secretary of State for Health (1) what meetings have been held between the Licensing Authority and the pharmaceutical companies holding product licences for combined oral contraceptives containing desogestrel or gestodene since 7 November 1995; [23269]

(2) pursuant to the answer of 8 February, *Official Report*, columns *344-45*, with which companies and on what dates the discussions regarding supply took place. [23278]

Mr. Malone: Information about discussions held between the Licensing Authority and pharmaceutical companies is treated on confidence under the Medicines Act 1968.

Mr. Hughes: To ask the Secretary of State for Health, pursuant to the answer of 8 February, *Official Report*, columns *232–44*, relating to the letter of 11 October 1995 from the Medicines Control Agency, for what reasons it is not normal practice to publish such documentation. [23270]

Mr. Malone: The relevant documentation is considered to be a confidential communication between regulatory bodies. Such communications are not normally published because they may contain information which is sensitive for commercial reasons or relates to the formulation of policy.

Mr. Hughes: To ask the Secretary of State for Health, pursuant to the answer of 19 December 1995, *Official Report*, column *1149*, if regulatory action with respect to clinical trials of combined oral contraceptives has now been completed; and if he will make a statement. [23273]

Mr. Malone: I refer the hon. Member to the reply I gave him on 8 February, *Official Report*, column *386*. In the case of clinical trials, the Licensing Authority would not normally make a public announcement.

Mr. Hughes: To ask the Secretary of State for Health, pursuant to the answer of 8 February, *Official Report*, column *344*, whether those who made arrangements on 11 October 1995 for the meeting of the Committee on Safety of Medicines on 13 October 1995 were made aware of the formal referral regarding safety concerns relating to desogestrel and gestodene to be considered by the Committee for Proprietary Medicinal Products on 17 to 18 October 1995. [23275]

Mr. Malone: Those making the arrangements were aware of the requests that this issue be placed on the agenda of the Committee for Proprietary Medicinal Products on 17 and 18 October 1995.

Mr. Hughes: To ask the Secretary of State for Health, pursuant to the answer of 8 February, *Official Report*, columns *343–44* what was the legal basis for the referral of 11 October 1995 to the Committee for Proprietary Medicinal Products. [23277]

Mr. Malone: I refer the hon. Member to the replies I gave him on 8 February, *Official Report*, columns *343–44*, and the hon. Member for Gordon (Mr. Bruce) on 19 December 1995, *Official Report*, column *1150*.

Mr. Madden: To ask the Secretary of State for Health (1) what representations he has received about the safe use of Femodene ED; if he will list the names of those who have made such representations; and what action he has taken in response to such representations; [24297]

(2) what research he has *(a)* commissioned and *(b)* evaluated into the contraceptive pill Femodene ED; what medical side-effects, if any, the pill produces; what advice he has received from the manufacturer about the medical conditions where use of this pill would be inappropriate; and if he will make a statement. [24296]

Mr. Malone: Femodene ED is a combined oral contraceptive preparation containing ethinyloestradiol and gestodene. It is one of the seven brands of oral contraceptive which was subject of advice from the Committee on Safety of Medicines in October 1995 in relation to the risk of venous thromboembolism. The advice of the CSM was based on research studies which indicated that oral contraceptives containing gestodene or desogestrel are associated with an increased risk of venous thromboembolism, compared with other oral contraceptives. The chairman of the CSM wrote to doctors and pharmacists on 18 October 1995 and a copy of his letter is available in the Library.

The contra-indications to use and side-effects of Femodene ED are documented in the product data sheet issued by the manufacturer and in the British National Formulary.

I refer the hon. Member to the statement to the House made by my right hon. Friend the Secretary of State for Health on 23 October 1995, *Official Report*, column 701–11, and also, in respect of the matter of representations, to the replies I gave to the hon. Member for Southwark and Bermondsey (Mr. Hughes) on 8 February, *Official Report*, column *345*.

Medicines Act 1968

Mr. Simon Hughes: To ask the Secretary of State for Health, pursuant to the answer of 8 February, *Official Report*, columns *345–46*, if he will list the occasions during 1995 on which *(a)* the Licensing Authority, *(b)* the Medicines Control Agency and *(c)* the Committee on Safety of Medicines have taken legal action with respect to matters relating to the Medicines Act 1968; and how many injunctions have been sought relating to material relating to the efficacy or safety of medicines. [23276]

Mr. Malone: The Medicines Control Agency, acting on behalf of the Licensing Authority, instigated legal proceedings in the criminal courts in respect of 35 cases in 1995 relating to enforcement of the Medicines Act 1968. No injunctions in respect of material relating to the efficacy or safety of medicines were sought during this period.

Adoption

Mr. Spearing: To ask the Secretary of State for Health what are the principal legislative provisions he expects to change in his proposals for re-casting the law relating to adoption; and what means he expects to use. [24449]

Mr. Bowis: My Department published a consultative document "Adoption—A Service for Children" on 28 March; copies are available in the Library. The document includes a draft Adoption Bill and identifies some important changes to adoption law; changes will be effected through primary legislation, regulations and guidance.

Smoking

Mr. Simon Hughes: To ask the Secretary of State for Health what estimate he has made of *(a)* the proportion of people from ethnic minorities who smoke and *(b)* the proportion of all smokers who are from ethnic minorities. [23265]

Mr. Horam: Estimates of cigarette smoking prevalence in 1992 among those aged 16 and over are shown in the table. Estimates of smoking prevalence among other ethnic minority populations are not available and it is not therefore possible to produce an estimate of the proportion of all smokers who are from ethnic minorities.

Percentage

	Men	*Women*
African-Caribbean	28	18
Indian	19	1
Pakistani	28	2
Bangladeshi	40	4
England-general population	29	27

Source:
Health Education Authority "Black and Minority Ethnic Groups in England".
Office of Population Censuses and Surveys general household survey.

Mr. Hughes: To ask the Secretary of State for Health what measures he is taking to alert members of ethnic minorities to the dangers of smoking and to encourage them to stop. [23266]

Mr. Horam: In addition to the provision of translations of anti-smoking literature, the Health Education Authority works closely with local health promotion agencies to develop resources best suited to the needs of particular communities.

Mr. Hughes: To ask the Secretary of State for Health what estimate he has made of the number of women who restart smoking after pregnancy; and what measures he is taking to encourage them not to. [23274]

Mr. Horam: No such estimate has been made.

The Health Education Authority is continuing its campaign aimed at pregnant women and, in conjunction with doctors, nurses and health visitors, a new educational leaflet will be available later in the spring. In addition, the national smoking education campaign is designed to motivate and assist those in socio-economic groups C2DE, in particular parents and pregnant women, to quit.

Mental Health Patients

Mr. Simon Hughes: To ask the Secretary of State for Health what estimate he has made of the number and proportion of mental health patients in accommodation *(a)* directly provided or run by a local authority and *(b)* approved by but not directly provided or run by a local authority in (i) 1980, (ii) 1985, (iii) 1990 and (iv) 1995. [23267]

Mr. Bowis: The available information on the number of people in residential care homes is shown in the table. Information is not available centrally for 1980 and 1985 in this form.

Residents in residential care homes for people with mental illness[1]
England at 31 March *Numbers and percentages*

	1990	*1995*
Local authority homes[2]		
Residents in homes for mentally ill people	4,885	4,070
Percentage[3] in homes for mentally ill people	4.6	6.1
Independent sector homes[4]		
Residents in homes for mentally ill people	10,620	16,265
Percentage[3] in homes for mentally ill people	6.0	7.3

Notes:
[1] Includes homes for elderly people who are mentally infirm.
[2] Local authority staffed homes. At 31 March 1995 there were also 1,400 people with mental illness accommodated in local authority unstaffed homes.
[3] Calculated as the percentage of all residents in local authority and independent sector homes respectively.
[4] Residential care homes registered under the Registered Homes Act 1984. Excludes small homes registered under the Registered Homes (Amendment) Act 1991.
Source:
Department of Health annual statistical returns.

Medicines Commission

Mr. Simon Hughes: To ask the Secretary of State for Health, pursuant to the answer of 8 February, *Official Report,* column *345* (1) on what basis Professor W. Butterfield was appointed as chairman of Medicines Commission for the period 1 January 1978 to 31 December 1981; [23271]

(2) on what basis Professor Rosalind Hurley was appointed as chairman of the Medicines Commission for the period 1 January 1986 to 31 December 1993. [23272]

Mr. Malone: All members of the Medicines Commission, including chairmen, are appointed for their wide and recent experience in one of the following activities;

(a) the practice of human or veterinary medicine;

(b) the practice of pharmacy;

(c) chemistry other than pharmaceutical chemistry;

(d) the pharmaceutical industry.

All chairmen since the inception of the commission have been selected for their wide experience and suitable qualities for that role.

Children's Hospital Services, Manchester

Mr. Alfred Morris: To ask the Secretary of State for Health what representations he has had from the leader of Manchester city council in relation to

children's hospital services in Greater Manchester; what reply he is sending; what action he is taking; and if he will make a statement. [23436]

Mr. Horam: We received a letter on 26 March, to which I shall be replying shortly. Children's services are a matter for the six district health authorities in Greater Manchester and the right hon. Member may wish to approach their respective chairmen for more information.

Regulations

Mr. Steen: To ask the Secretary of State for Health which of he 1,000 regulations identified for repeal or amendment by the Prime Minister are the responsibility of his Department; of those which *(a)* have been repealed or amended and *(b)* are planned to have been repealed or amended by the end of the 1995–96 parliamentary Session; and if he will list those whose repeal has saved business more than £1 million per annum. [23650]

Mr. Horam: I refer my hon. Friend to the reply my right hon. Friend the Chancellor of the Duchy of Lancaster gave him today.

Hepatitis C

Mr. Alfred Morris: To ask the Secretary of State for Health what further representations he has had from the Haemophilia Society in regard to people with haemophilia who were infected with hepatitis C by contaminated blood products supplied to them by the NHS; what reply he gave; what action he is taking; and if he will make a statement. [23803]

Mr. Horam: I met representatives of the Haemophilia Society on 26 March to discuss its report on haemophilia and hepatitis C which was published in February. The meeting covered a range of issues concerning haemophiliacs infected with hepatitis C and I outlined the action that the Government are taking, including research and support for voluntary organisations working in this field.

Transfers of Undertakings

Mr. Hinchliffe: To ask the Secretary of State for Health what duties *(a)* health authorities, *(b)* NHS trusts and *(c)* private investors have to consult with trade unions or worker representatives where a private finance initiative within the NHS will result in a transfer of undertakings; what time scale applies; what action he will take to ensure changes in the management of national health services falling within the acquired rights directive are negotiated to fulfil transfer of undertakings protection of employment requirements; and if he will make a statement. [24119]

Mr. Malone: The private finance initiative does not affect the obligation of national health service employers to comply with the provisions of employment law.

Under the Transfer of Undertakings (Protection of Employment) Regulations 1981, employers—including NHS employers—involved in relevant transfers must provide certain information to appropriate representatives of any affected employees long enough before the transfer to enable consultation to take place. An employer who envisages taking measures in connection with the transfer must also consult representatives of any affected employees with a view to seeking their agreement.

Travel Immunisation

Mr. Dalyell: To ask the Secretary of State for Health if he will make a statement on the proposed privatisation of the travel immunisation service. [24183]

Mr. Horam: There is no proposal to privatise travel immunisation.

The Department is reviewing the arrangements for travel vaccines. Inconsistencies and ambiguities have arisen over the years and we are seeking to resolve any anomalies which may exist at present.

Contraceptive Advice (Minors)

Mr. Madden: To ask the Secretary of State for Health what guidance *(a)* he has issued and *(b)* he plans to issue to general practitioners concerning information which can be given about patients who are minors to health clinics from whom such patients seek advice on contraception; what are the established procedures for the supply of such information; and if he will review their adequacy. [24364]

Mr. Horam: In March 1986, HC(86)1 was issued to health authorities giving guidance on the provision of contraceptive advice and treatment to young people under 16, exceptionally without their parents' knowledge or consent. It sets out the criteria on which a doctor or health professional must be satisfied before prescribing contraception. Copies of the guidance are available in the Library.

There are no plans to revise this guidance.

Waiting Lists

Mr. Milburn: To ask the Secretary of State for Health, pursuant to his answer of 19 March, *Official Report*, column *189*, how many people have been removed from waiting lists by district in each region in each quarter since 1992. [24379]

Mr. Horam: Reliable information on removals by district is not available centrally.

Spongiform Encephalopathy Research

Mrs. Ewing: To ask the Secretary of State for Health what have been the levels of expenditure in 1996 prices on Government-sponsored research into the incidence of *(a)* scrapie in sheep, *(b)* bovine spongiform encephalopathy in cattle and *(c)* Creutzfeldt-Jakob disease in humans for each five-yearly period since 1970 with regard to micro-biological studies. [24439]

Mr. Horam: I refer the hon. Member to the reply I gave her on 28 March, *Official Report*, columns *748–49*.

Training Expenditure

Mr. Milburn: To ask the Secretary of State for Health, pursuant to his answer of 22 March, *Official Report*, column *383*, what has been the expenditure on *(a)* non-medical education and training and *(b)* medical and dental postgraduate education and training in each of the years since 1989–90 by region. [24381]

Mr. Malone: The available information will be placed in the Library.

Newbury Hospital

Mr. Rendel: To ask the Secretary of State for Health when he expects construction of the Newbury hospital to begin; and when the hospital will open. [24275]

Mr. Horam: The West Berkshire priority care service national health service trust is in the process of producing plans for a new hospital. The hon. Member may wish to contact Mr. Jim Kerevon, chairman of the trust, for details.

NHS Trusts (Insurance Policies)

Mr. Milburn: To ask the Secretary of State for Health what is his policy in respect of national health service trusts offering branded insurance policies. [24394]

Mr. Malone: National health service trusts are empowered to generate additional income of NHS patient care by undertaking a range of commercial services activities. There is no objection to NHS trusts offering branded insurance policies provided that:

(a) there is no detriment to NHS services, which must be the top priority for every NHS trust.

(b) there is no unacceptable risk to public funds.

(c) the services make a positive financial contribution which benefits the NHS trust's work for NHS patients.

(d) it is made entirely clear that any insurance policy is in relation to future private treatment and does not confer any advantage whatsoever in relation to NHS treatment.

Mr. Milburn: To ask the Secretary of State for Health what consideration the NHS executive has given to allowing trusts to offer preferential treatment to patients participating in any insurance policy or club scheme offered by them. [24363]

Mr. Malone: Treatment of national health service patients is determined by clinical priority alone. NHS trusts must not offer preferential treatment under the NHS to patients participating in any insurance policy or club scheme they offer.

NHS Trusts (Deficits)

Mr. Bayley: To ask the Secretary of State for Health, pursuant to his answer of 27 March, *Official Report*, columns *658-60*, about the deficits recorded by NHS trusts in 1994–95, what factors led to the deficits experienced by *(a)* the East Anglian Ambulance NHS trust, *(b)* the Mid-Anglia Community Health NHS trust, *(c)* the Royal National Orthopaedic Hospital NHS trust, *(d)* the Royal National Throat, Nose and Ear Hospital NHS trust, *(e)* the Crawley and Horsham NHS trust, *(f)* the Swindon and Marlborough NHS trust, *(g)* the Worcester Royal Infirmary NHS trust, *(h)* the Wolverley NHS trust, *(i)* the Scarborough and North East Yorkshire Healthcare NHS trust, *(j)* the Frimley Park Hospital NHS trust, *(k)* the Bath Mental Health Care NHS trust and (1) the Premier Health NHS trust. [24429]

Mr. Horam: Further information on the factors which led to the deficits in the trusts are matters for the individual trusts concerned. The hon. Member may wish to contact the chairmen of the respective trusts for details.

General Practitioners

Mr. Bayley: To ask the Secretary of State for Health what was the whole-time equivalent number of NHS general medical practitioners working in each family health services association area in England at the latest date for which figures are available. [24382]

Mr. Malone: The information will be placed in the Library.

AGRICULTURE, FISHERIES AND FOOD

Hamburger Meat

Mr. Redmond: To ask the Minister of Agriculture, Fisheries and Food what are the current regulations applying to the supply of beef and meat products to hamburger chains and related outlets. [23072]

Mrs. Browning: Premises engaged in the supply of raw beef hamburgers and meat products are covered by the Minced Meat and Meat Preparation (Hygiene) Regulations 1995 and the Meat Products (Hygiene) Regulations 1994, unless they supply exclusively caterers and/or the final consumer, in which case they are covered by the Food Safety (General Food Hygiene) Regulations 1995.

Organophosphates

Mr. Llwyd: To ask the Minister of Agriculture, Fisheries and Food what advice his Department provides to farmers on the disposal of organophosphate dips; and if he will make a statement. [23190]

Mrs. Browning: Advice on disposal of organophosphorus sheep dips is given in the "Sheep dipping" booklet, AS29, published by the Health and Safety Executive, the Veterinary Medicines Directorate and the Department of the Environment. In 1994, copies of this leaflet were sent to all known sheep farmers in England and, in a Welsh language edition, in Wales. My Department's "code of good agricultural practice for the protection of water," published in 1991, also contains a section on sheep dips. Copies of both documents are available in the Library of the House.

Advice on disposal is also included on the labels and product literature of organophosphorus sheep dips as part of the authorisation procedures for veterinary medicines.

Mr. Llwyd: To ask the Minister of Agriculture, Fisheries and Food what recent discussions his Department has had with the organophosphate information network; and if he will make a statement. [23172]

Mrs. Browning: As part of a series of meetings I have been holding with sufferers and sufferers groups this year, I met the leader of the organophosphate information

network—OPIN—on 23 February and discussed with her a number of matters relating to OP sheep dips. My officials are also in regular and frequent contact with OPIN on all aspects of the OP sheep dip issue.

Mr. Llwyd: To ask the Minister of Agriculture, Fisheries and Food what plans he has to introduce a system of compensation for farmers suffering from organophosphate poisoning who cannot apply for industrial injury benefit; and if he will make a statement. [23175]

Mrs. Browning: I have no plans to introduce such a system. Questions of compensation are a matter between the individual and the company concerned.

Mr. Llwyd: To ask the Minister of Agriculture, Fisheries and Food what guidance his Department provides to farmers on the wearing of protective suits when using organophosphate dips; and if he will make a statement. [23191]

Mrs. Browning: Advice on the wearing of personal protective equipment, including protective suits, when using sheep dips, is contained in the "Sheep dipping" booklet, AS29 published jointly by the Health and Safety Executive, the Veterinary Medicines Directorate and the Department of the Environment. The labels and product literature for organophosphorus sheep dips include advice on the precautions to be taken when using the products, including the wearing of protective clothing.

Mr. Llwyd: To ask the Minister of Agriculture, Fisheries and Food if his Department's advice on the disposal of organophosphate dips conforms with the EC groundwater directive, and if he will make a statement. [23189]

Mrs. Browning: One of the purposes of the "Sheep dipping" booklet, AS29, published jointly by my Department with the Health and Safety Executive, the Veterinary Medicines Directorate and the Department of the Environment, is to provide guidance to users of organophosphate sheep dips on the safe handling, use and disposal of these veterinary medicines.

Mr. Llwyd: To ask the Minister of Agriculture, Fisheries and Food (1) what arrangements his Department has made since 1992 to ensure that guidance note MS17 from the Health and Safety Executive is circulated to farmers; and if he will make a statement; [23186]

(2) is circulated to doctors; and if he will make a statement. [23528]

Sir Paul Beresford: I have been asked to reply.

For farmers and doctors in general, none, though at the time of publication in 1981 and revisions in 1986 and 1987, it was distributed to a wide variety of relevant journals and publications in the medical, agricultural, horticultural, livestock and forestry fields, in addition to general health and safety and chemical industry publications.

Guidance note MS17 is a specialised document aimed at occupational hygienists and doctors responsible for biological monitoring programmes under the Control of Substances Hazardous to Health Regulations. Most general practitioners do not specialise in occupational hygiene and do not generally need the detailed information provided in MS17.

Meat Inspections

Mr. Harry Greenway: To ask the Minister of Agriculture, Fisheries and Food how many inspectors are currently available to carry out meat inspections in each region. [23112]

Mrs. Browning: I have asked the chief executive of the Meat Hygiene Service to reply to my hon. Friend direct.

Letter from Johnston McNeill to Mr. Harry Greenway, dated 2 April 1996:

As Chief Executive of the Meat Hygiene Service (MHS), your question regarding meat inspection staff has been passed to me for reply. [23112]

The MHS currently employ, nationally, 509 red meat and 163 poultry meat inspectors on a full time basis. In addition it utilises 69 inspectors (62 red meat; 7 white) on fixed term contracts of 100 weeks duration. There is also a pool of 222 staff (203 red; 19 white) used on a casual basis. As you will appreciate, these last two sets of figures in particular fluctuate according to demand.

These meat inspection staff are supervised by Official Veterinary Surgeons (OVSs). The MHS directly employs 39 OVSs and in addition contracts out work to 110 full-time equivalent vets to supplement them. 3 vets are also utilised on a casual basis.

The MHS is divided into 6 regions and the above figures are broken down as shown on the attached table.

Meat inspection staff employed by the MHS as at 27 March 1996

	Region/Department						
Grade	*North*	*Central*	*South and East*	*South West*	*Wales*	*Scotland*	*Total*
Official veterinary surgeon							
Permanent	8	8	6	4	5	4	35
Temporary	1	1	2	0	0	0	4
Casual	0	0	0	1	2	0	3
Sub total	9	9	8	5	7	4	42
Senior authorised meat inspector							
Permanent	19	16	12	8	6	14	75
Temporary	0	1	0	1	1	0	3
Casual	1	0	0	1	0	0	2
Sub total	20	17	12	10	7	14	80

Meat inspection staff employed by the MHS as at 27 March 1996

Grade	Region/Department North	Central	South and East	South West	Wales	Scotland	Total
Authorised meat inspector							
Permanent	119	67	97	46	32	73	434
Temporary	14	9	17	11	6	2	59
Casual	50	32	35	37	24	23	201
Sub total	183	108	149	94	62	98	694
Senior poultry meat inspector							
Permanent	8	7	5	3	5	5	33
Temporary	0	0	0	0	0	0	0
Casual	0	0	0	0	0	1	1
Sub total	8	7	5	3	5	6	34
Poultry meat inspector							
Permanent	27	13	46	11	23	10	130
Temporary	3	2	0	2	0	0	7
Casual	2	4	3	3	6	0	18
Sub total	32	19	49	16	29	10	155
Total	252	160	223	128	110	132	1,005

P = Permanent, T = Temporary (100 week contract), C = Casual. OVS = Official Veterinary Surgeon, AMI = Authorised Meat Inspector, PMI = Poultry Meat Inspector.

Poultry Feed

Mr. Kilfoyle: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the number of poultry which have been fed protein feed in each year since 1989. [23155]

Mrs. Browning: All poultry are fed on a diet which typically contains between 15 and 28 per cent. protein.

Food Safety

Ms Walley: To ask the Minister of Agriculture, Fisheries and Food what plans he has to introduce a food safety strategy. [23111]

Mrs. Browning: My Department's aims, objectives and programmes in the food safety area are set out in the 1996 departmental report, CM 3204, which has just been published.

Pet Food

Mr. Redmond: To ask the Minister of Agriculture, Fisheries and Food what proposals he has to stop the use of potentially infected beef waste in the production of cat and dog food. [23349]

Mrs. Browning: The use of specified bovine offal in feedingstuffs for animals, including pet food, is already prohibited under the Specified Bovine Offal Order 1995.

Cattle Inspectors and Veterinarians

Mr. Welsh: To ask the Minister of Agriculture, Fisheries and Food how many *(a)* cattle inspectors and *(b)* veterinarians there are (i) in Scotland and (ii) in the rest of the United Kingdom. [23356]

Mrs. Browning *[holding answer 28 March 1996]:* At 1 March 1996, directly employed by the Ministry within the State Veterinary Service there were *(a)* 23 Ministry technical staff appointed as inspectors under the Animal Health Act 1981 in Scotland and 159 in the rest of Great Britain; *(b)* 51 veterinary surgeons in Scotland and 247 in the rest of Great Britain.

Meat and Bonemeal Feed

Mr. Redmond: To ask the Minister of Agriculture, Fisheries and Food what plans he has to ban the import of all animal feedstuffs containing mammalian meat, other animal and butchers' wastes and bonemeal. [23326]

Mrs. Browning: The proposed restrictions on mammalian meat and bonemeal will apply equally to mammalian meat and bonemeal imported from other countries.

Mr. Welsh: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the location and volume of stocks of meat bonemeal feed in *(a)* Scotland and *(b)* the rest of the United Kingdom. [23355]

Mrs. Browning *[holding answer 28 March 1996]:* Detailed information is not available on the total stocks of meat and bonemeal held in the United Kingdom. However, information is available on the stocks held by all known compounders in Great Britain which produce animal feedingstuffs for sale. The following figures include estimates for such producers in Northern Ireland:

Scotland: 56 tonnes

Rest of the UK: 2,053 tonnes

Food Labelling (Beef Products)

Mr. Hinchliffe: To ask the Minister of Agriculture, Fisheries and Food what steps he will take to provide full information to all consumers about beef products contained in foodstuffs; and if he will ban the sales of foodstuffs which do not carry such a description clearly presented. [23229]

Mrs. Browning *[holding answer 29 March 1996]:* The EC food labelling directive requires that the species origin of meat ingredients of all prepacked foodstuffs should be indicated on labels unless the ingredients form part of a

composite ingredient which is less than 25 per cent. of the foodstuff. However, the UK also currently permits the use of generic terms for meat and offal ingredients provided that:

(a) in the case of "meat" the labelling of the food does not otherwise refer to a specific type of meat;

(b) in the case of "other meat", this describes meat not otherwise referred to on the label;

(c) in the case of "offal", this refers only to an ingredient of a cooked food.

Following harmonisation of EC member states' legislation on use of generic terms in ingredient lists, the Government published proposals in March 1994 to amend the UK regulations to discontinue the use of these generic descriptions. The changes will be given effect in the consolidated food labelling regulations due to be introduced shortly.

The Government have no plans to ban products which do not comply with these rules.

Common Agricultural Policy

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the underspend within the CAP budget for the current year. [23419]

Mr. Baldry: The Commission's latest estimates suggest an underspend of about 0.7 becu or £0.6 billion.

Fertiliser (Chicken Manure)

Mr. David Nicholson: To ask the Minister of Agriculture, Fisheries and Food what advice he has received regarding *(a)* the suitability or otherwise of chicken litter as an agricultural fertiliser and *(b)* the supply of chicken litter for fertiliser purposes. [23577]

Mr. Boswell: Poultry manure—including the ashed product from incineration—is a source of various nutrients and is used as a fertiliser. I have no quantitative information on supplies.

Rabies

Sir George Gardiner: To ask the Minister of Agriculture, Fisheries and Food what was the outcome of the rabies risk assessment referred to by the Chief Veterinary Officer at the seminar organised by the Royal Society of Medicine on 3 May 1995. [23595]

Mrs. Browning *[holding answer 29 March 1996]:* I refer my hon. Friend to the reply given to my hon. Friend the Member for Beaconsfield (Mr. Smith) on 29 February, *Official Report*, column *710*.

Sir George Gardiner: To ask the Minister of Agriculture, Fisheries and Food what recent studies his Department has undertaken into the efficacy of the pet passport scheme introduced in Sweden to exclude rabies; and if he will reconsider his response to the proposals from the Agriculture Committee in its fifth report of Session 1993–94, HC 347. [23697]

Mrs. Browning *[holding answer 29 March 1996]:* Senior officials from my Department visited Norway and Sweden late last year to get a first-hand idea of how their new systems are working. Their impression was that the import controls operating in those countries were far more bureaucratic than our quarantine system, and administratively more expensive to operate.

The Government continue to believe that the time is not yet ripe to introduce changes to the current quarantine arrangements for pet dogs and cats entering the UK.

Imported Meat and Livestock

Mr. Liddington: To ask the Minister of Agriculture, Fisheries and Food what measures he is taking to test imported livestock and carcases for disease. [23454]

Mrs. Browning *[holding answer 29 March 1996]:* For livestock, other member states of the European Union are obliged to ensure that animals sent to the United Kingdom originate from holdings which are subject to regular official veterinary checks and free from animal health movement restrictions. Animals also have to be accompanied by a valid health certificate signed by an official veterinarian in conformity with Community rules. The certificate details the veterinary checks carried out by the official veterinarian. As a further precaution against disease spread, spot checks are carried out on imported consignments, including some sampling and testing for evidence of disease.

Livestock from third countries can be imported only through an approved border inspection post. Most consignments of livestock must undergo full documentary, identity and physical checks by an official veterinarian at the BIP. Imported livestock from third countries for which the European Community has not agreed harmonised rules are permitted to enter the Untied Kingdom only with a valid import licence, the conditions of which must be met. National and Community animal health conditions for imported livestock include some pre-export and post-import testing requirements.

Similarly, imports of animal products from third countries may enter the Community only via approved BIPs where they are subject to a range of checks to ensure compliance with import rules.

As regards intra-Community trade in products of animal origin, the onus is on the member state of origin to ensure compliance with Community animal and public health rules. These require carcases to be health marked to indicate that they come from an approved slaughter house and to be accompanied by commercial documentation bearing the approval number of that premises. Checks and testing are undertaken here if there is reason to suspect that a consignment does not comply with Community rules.

Appeals Mechanisms

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food how many appeals mechanisms, as laid out in section 6 of the Deregulation and Contracting Out Act 1994, he expects to establish by the end of 1996; how many staff each appeals system will employ; and what their estimated annual running costs will be. [23621]

Mr. Boswell *[holding answer 1 April 1996]:* I refer to the reply given by my right hon. Friend the Chancellor of the Duchy of Lancaster on 1 April, *Official Report*, column *18*.

Deregulation

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food, pursuant to the oral answer of the Chancellor of the Duchy of Lancaster to the hon. Member for Colchester, North (Mr. Jenkin) on 26 February, *Official Report*, column *576*, if he will list those statutory instruments and Acts of Parliament which have been gold plated in the past five years; and what steps he is taking to amend or repeal each piece of gold plating on existing legislation. [23631]

Mr. Boswell *[holding answer 1 April 1996]:* The Government's policy is not to add unnecessary burdens when implementing EC directives. Departments take every opportunity to review existing legislation in the light of this. Officials are currently working on revised guidance to enable Ministers to see where implementing legislation goes beyond the underlying EC directive.

Analysing past statutory instruments and Acts of Parliament to identify those which may have included gold plating would involve disproportionate cost.

Research

Mrs. Golding: To ask the Minister of Agriculture, Fisheries and Food how much his Department has spent on research in each year since 1986 to date. [23985]

Mr. Boswell: The Department's total research and development expenditure for each financial year since 1986 is as follows:

Year	*£ million*
1985–86	118.4
1986–87	118.3
1987–88	113.8
1988–89	115.0
1989–90	112.2
1990–91	119.1
1991–92	121.5
1992–93	132.9
1993–94	135.0
1994–95	137.2
1995–96[1]	139.7

[1] Provisional.

Agricultural Development Advisory Service

Sir Jim Lester: To ask the Minister of Agriculture, Fisheries and Food what plans he has for the future structure of the agricultural development advisory service; and if he will make a statement. [24701]

Mr. Douglas Hogg: The Government have announced their intention to transfer the majority of ADAS functions to the private sector. My right hon. Friend the Secretary of State for Wales and I are pleased with the progress that ADAS has made and, subject to its performance over the 1996–97 financial year, will be looking to take privatisation forward in the course of 1997.

The Secretary of State and I have agreed to create a new joint agency to take on those ADAS functions that need to be retained in the public sector.

The new agency will work only on behalf of Government customers. In line with Government policy on privatisation, it will not compete for work which is capable of being contracted out to the private sector.

We expect the new agency to comprise around 400 professional staff and are planning for it to come into operation on 1 April 1997.

Fisheries Policy

Mrs. Lait: To ask the Minister of Agriculture, Fisheries and Food what progress is being made in securing improvements in the common fisheries policy and the management of fisheries in the United Kingdom. [24809]

Mr. Baldry: The information is as follows. With regard to structural measures for the fishing industry, the main underlying problem for fishermen is the poor state of fish stocks and the size of the fishing fleets. Tackling the problem of over-capacity must remain a top priority in fisheries policy, since our fleet cannot have a viable long-term future unless it is properly structured in relation to the available fishing opportunities.

That it why we increased the decommissioning programme by £28 million last year and have recently launched a consultation exercise seeking industry views on how our decommissioning arrangements might be improved. The closing date for comments is 12 April and we aim to have changes in place in time to start the 1996 round soon.

If our fleet reductions are to work they need to be part of an EU-wide policy. We shall join constructively in the discussions and negotiations in the Fisheries Council on the future arrangements for bringing the European fleet as a whole better into line with fishing opportunities. We have already started discussions by holding seven meetings in different parts of the UK to enable the European Commission to meet our industry and to hear at first hand the views of our fishermen.

The need to adapt applies equally to ports, to on-shore facilities and to the processing industry. We have therefore announced that we are going ahead with grant support schemes under the EU's financial instrument for fisheries guidance. This is in addition to the continuing national harbour grants scheme and existing vessel safety measures.

The UK will also benefit by up to £36 million of aid under the PESCA initiative targeted specially at the needs of fishery-dependent areas. Again there will be supporting national, regional and local assistance.

On fisheries management, the Government have made clear our determination to deal with the problem of quota hoppers. These vessels, although registered in the UK, are effectively owned abroad yet fish against UK quotas and yield little or no benefit to our fishing communities.

Quota hoppers now account for 20 per cent. of the tonnage of our offshore fleet and take about 10 per cent. of our whitefish quota, most of which is landed abroad. This cannot go on and we must be able to ensure that our fishing communities and related industries derive real benefit from the national quotas allocated under the CFP. As announced in March, we are raising this issue in the intergovernmental conference and, if needed, treaty changes will be sought. We have already secured the Commission's agreement that they will study with us the

scope for taking practical and effective steps to regulate quota hopping within the existing framework of Community law.

The system of quota management is often criticised by fishermen. This is not surprising when quotas have to be set at low levels in response to falling fish stocks. The industry has been invited to make its own suggestions for improvements to the system we apply in the UK. At the annual review meeting in November, the industry agreed that no significant changes should be made for 1996. However, the Government remain open to any constructive ideas which are likely to be acceptable to the industry as a whole.

As part of our quota management policy, we have made clear our commitment to seeking ways to reduce the adverse effect on the Northern Irish industry of Hague preference in the Irish sea.

With regard to fisheries conservation and science, UK fishermen have laid great emphasis on the importance that they attach to effective technical conservation measures. This is absolutely right, and to address the problems of fisheries conservation, including discards and industrial fishing, I set up a fisheries conservation group consisting of fishermen, scientists and other Government experts to look at the options for new technical measures to help conserve stocks. This will ensure that the UK industry has every opportunity to have the maximum influence on the new Community measures which, at our request, are to be agreed by the end of the year.

We need to increase our understanding of the impact of industrial fisheries on other stocks and on the wider marine ecosystem. At the April Fisheries Council, I shall therefore call for a collaborative research effort in this important area and press the European Commission to propose the introduction of a precautionary total allowable catch for the large sandeel fishery.

A further area which clearly needs serious attention by the fishing industry and fisheries scientists is the understanding of fisheries science and the use by the scientists of the best advice from commercial fishermen. I have set out on a number of occasions the importance of fisheries science in policy decision, including my speech at the University of East Anglia last November explaining the key role which science must play in policy making. We have now initiated a series of regular contacts between industry representatives and our scientists in order to increase fishermen's understanding of the work done by the scientists and to give the industry the opportunity to question the scientists and contribute their own expertise. This will be followed up by meetings between the industry and our scientists in advance of formulating our input into the international scientific advice on the state of the various stocks. I hope that these contacts will result in future in better-informed decisions and a better understanding of how we reach decisions on fisheries management.

As for community arrangements at a community leve,l there is scope for improving the role of the fishing industry in decision making and in getting a clearer regional influence so that those most directly affected by decisions are heard more clearly. I have already put this idea to the Commission and the initial reaction was very encouraging. I shall be taking this up further at the April Fisheries Council when I shall propose the introduction of regional consultative committees to bring together fishermen and officials from the member states active in a particular fishery to discuss issues relevant to that fishery. These committees would cover areas such as the North sea and English channel and could consider any issue of regional relevance, such as the most suitable technical conservation measures and the state of fish stocks.

On the longer-term arrangements for the CFP, we are open to constructive suggestions from the UK industry in particular in relation to the 2002 review. On one important point—the six and 12-mile limits—we have already made it clear that they are not negotiable. The Commissioner has herself acknowledged the desirability of having a clear statement about the future and I shall be seeking to build on this.

On fish marketing, we have encouraged the industry to respond constructively to changing needs, in particular by making better use of the system of producers' organisations. Producers' organisations have already evolved in response to changing conditions in the industry. In the light of those changes, and the recommendations of the recent Sea Fish Industry Authority task force report, we are launching a consultation on the role and function of fish producers' organisations. We will also be seeking views on how various changes to EU legislation on recognition and supervision of producers' organisations should be implemented in the UK.

The importance of the fish market is also reflected in the agreement of Ministers to an increased levy rate of the Sea Fish Industry Authority which will provide funds for their promotional work and open the way for a significant contribution from EU aid.

In conclusion, these are not easy times for the fishing industry. The Government recognise that we are facing a number of difficult issues both on the operation of the CFP and because of the decline in fish stocks. That is why we are taking initiatives across the whole range of fisheries policy in the way that I have described.

WALES

Public Bodies

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 13 March 1996, *Official Report*, column *629*, if he will give the figures for *(a)* running costs and *(b)* expenditure on consultants by each of the five listed non-departmental public bodies in each of the past five years, using the new definition of running costs. [22804]

Mr. Hague *[holding answer 22 March 1996]:* Expenditure on running costs incurred prior to 1 April 1996 was not recorded in the format requested and cannot be produced. Available information on outturn expenditure on running costs and consultants for each of the five non-departmental public bodies is as follows:

£ million

Year	Running Costs	Consultants
Development Board for Rural Wales		
1991–1992	3.101	0.524
1992–93	3.276	0.489
1993–94	3.270	0.508
1994–95	3.137	0.517
1995–96 (estimated outturn)	2.920	0.340
Cardiff Bay Development Corporation		
1991–92	3.473	5.510
1992–93	4.012	6.559
1993–94	4.100	10.044
1994–95	4.004	6.536
1995–96 (budget)	4.319	8.093
Land Authority for Wales[1]		
1991–92	1.668	0.433
1992–93	1.732	0.604
1993–94	1.787	0.600
1994–95	1.795	0.414
1995–96 (budget)	1.882	0.350
Wales Tourist Board[2]		
1991–92	3.666	0.281
1992–93	4.013	0.289
1993–94	3.859	0.297
1994–95	3.884	0.307
1995–96 (estimated outturn)	3.820	0.383
Welsh Development Agency[3]		
1991–92	13.750	4.858
1992–93	14.231	5.917
1993–94	15.094	6.276
1994–95	14.130	6.370
1995–96 (estimated outturn)	13.200	7.074

[1] All fees are recovered from trading activities, therefore net nil cost to the public purse.
[2] Figures for expenditure on consultants are best estimates in the time available.
[3] Figures for expenditure on consultants include professional fees.

Homelessness

Mr. Raynsford: To ask the Secretary of State for Wales if he will list the number of households accepted as homeless by each local authority in Wales in 1995. [23107]

Mr. Gwilym Jones: The number of households accepted as homeless in 1995 is shown in the following table.

Households accepted as homeless in 1995

Local authority	Number
Aberconwy	62
Alyn and Deeside	190
Arfon	36
Blaenau Gwent	250
Brecknock	92
Cardiff	1,290
Carmarthen	113
Ceredigion	131
Colwyn	68
Cynon Valley	99
Delyn	104
Dinefwr	201
Dwyfor	46
Glyndwr	32
Islwyn	140
Llanelli	72
Lliw Valley	37
Meirionnydd	80

Households accepted as homeless in 1995

Local authority	Number
Merthyr Tydfil	179
Monmouth	125
Montgomery	147
Neath	302
Newport	652
Ogwr	1,230
Port Talbot	165
Preseli Pembrokeshire	160
Radnor	39
Rhondda	106
Rhuddlan	42
Rhymney Valley	130
South Pembrokeshire	122
Swansea	1,356
Taff-Ely	252
Torfaen	218
Vale of Glamorgan	238
Wrexham Maelor	398
Ynys Mon	100

Source:
Local authority returns.

Oil Pollution (Sea Empress Incident)

Ms Walley: To ask the Secretary of State for Wales what assessment his Department has made of the economic impact of the Sea Empress disaster on *(a)* local business activity, *(b)* local tourism and *(c)* the fishing industry. [23392]

Mr. Gwilym Jones: Compensation is available to businesses which have suffered economic loss caused by pollution damage from the Sea Empress. My right hon. Friend is monitoring the situation and maintaining close links with the Wales tourist board, Pembrokeshire county council, and organisations representing local fishing interests.

Home Energy Conservation Scheme

Mr. Barry Jones: To ask the Secretary of State for Wales how many senior citizens households over 60 years of age will not now be eligible for home energy conservation grants because of means testing. [23747]

Mr. Gwilym Jones: I refer the hon. Member to the reply given by my hon. Friend the Minister for Planning, Construction and Energy Efficiency, to the hon. Member for Edinburgh, South (Mr. Griffiths) on 26 March, *Official Report,* column *825.*

Hedgerows and Headlands (Conservation)

Mr. Barry Jones: To ask the Secretary of State for Wales what advice he has given to farmers concerning the preservation of hedgerows and headlands. [23564]

Mr. Gwilym Jones: The Welsh Office has published a "Guide to Hedgerow Management and Establishment" in conjunction with ADAS and the Countryside Council for Wales.

Advice is also given on the management of both hedgerows and headlands under the environmentally sensitive area scheme and on hedgerows under other environmental measures. All schemes are supported by appropriate explanatory literature. The council also provides advice and supporting literature under the hedgerow renovation scheme.

Right to Buy

Mr. Barry Jones: To ask the Secretary of State for Wales how many local people have exercised their right to buy their council house by each local authority giving the sales receipts total for each local authority up to the latest possible date; and if he will make a statement. [23750]

Mr. Gwilym Jones: The available information is given in the following table:

Total right to buy sales and receipts from the sale of council houses[1]

	Right to Buy Sales October 1980 to December 1995 (Number)[2]	*Receipts from the sale of council houses April 1981 to March 1995 £ million*[3]
Aberconwy	1,849	16.3
Alyn and Deeside	1,778	18.4
Arfon	1,579	16.5
Blaenau Gwent	2,872	26.5
Brecknock	1,630	15.9
Cardiff	8,581	101.0
Carmarthen	493	16.4
Ceredigion	1,788	20.7
Colwyn	14	8.9
Cynon Valley	1,757	13.6
Delyn	1,420	15.7
Dinefwr	1,032	9.7
Dwyfor	467	3.9
Glyndwr	1,390	13.1
Islwyn	4,136	36.9
Llanelli	3,863	28.3
Lliw Valley	2,192	18.2
Meirionnydd	994	7.6
Merthyr Tydfil	2,520	20.2
Monmouth	2,308	31.9
Montgomeryshire	1,547	13.6
Neath	2,721	21.7
Newport	4,725	53.5
Ogwr	5,126	50.3
Port Talbot	3,990	33.4
Preseli Pembrokeshire	2,744	27.0
Radnorshire	684	8.0
Rhondda	906	5.7
Rhuddlan	1,024	9.5
Rhymney Valley	4,339	35.5
South Pembrokeshire	1,006	12.6
Swansea	4,895	47.9
Taff-Ely	4,339	36.4
Torfaen	4,834	58.4
Vale of Glamorgan	2,985	38.7
Wrexham Maelor	4,288	42.0
Ynys Mon	1,883	17.5

Notes:

[1] *Right to buy legislation was introduced in October 1980.*

[2] Excludes voluntary sales.

[3] Includes receipts from the right to buy and voluntary sale of dwellings and the repayment of principal from local authority mortgages: receipts information for right to buy sales is not separately collected.

Source:

Local authority returns.

Horticultural Industry

Mr. Barry Jones: To ask the Secretary of State for Wales what is his policy on the horticultural industry; and if he will make a statement. [23531]

Mr. Gwilym Jones: The Government's policy on horticulture is set out in the joint memorandum which the Agriculture Departments submitted to the Agriculture Committee on 30 November 1994, House of Commons Paper No. 61–11, Session 1994–95, a copy of which is available in the Library of the House.

Departmental Staff (Location)

Dr. Marek: To ask the Secretary of State for Wales, pursuant to his answer on 19 March, *Official Report*, column *172*, how many civil servants work at each location within Wales. [23572]

Mr. Hague: The number of permanent full-time equivalent Welsh Office staff, excluding Cadw, by location are as follows:

	Number
London	28
Cardiff	1,463
Caernarfon	101
Carmarthen	93
Llandrindod Wells	130
Lampeter	6
Colwyn Bay	29
Haverfordwest	2
Milford Haven	4
Dolgellau	2
Swansea	3
Newtown	2
Brecon	3
Ruthin	6
Holyhead	1
Conwy	2

1. From 1 April Welsh Office staff at Aberystwyth office transferred to the Veterinary Laboratories Agency.
2. From 1 April there have been no Welsh Office staff based at the Newport office. The area will be covered from the Brecon office.
3. The figures do not include staff on maternity leave, career breaks and secondment.

Negative Equity

Mr. Barry Jones: To ask the Secretary of State for Wales what is his estimate of the number of home owners currently suffering negative equity. [23745]

Mr. Gwilym Jones: Estimates of negative equity are prepared by the Department of the Environment on the basis of a house price index. The estimates are sensitive to the assumptions made and are only intended to provide a broad indication of the level of negative equity. An estimated 11,000 homeowners were suffering negative equity during the third quarter of 1995.

Air Quality Monitoring

Mr. Barry Jones: To ask the Secretary of State for Wales if he will increase his funding to local authorities to enable them to measure air quality; and if he will make a statement. [23749]

Mr. Gwilym Jones: Under the Environment Act 1995 local authorities will have new duties in respect of air quality. Phased implementation of the new duties, involving a representative number of local authorities in Wales, England and Scotland, will commence in 1996–97. Special grant support is being provided to those authorities to cover any necessary increased expenditure.

This first phase will enable the Government to assess the resource implications of implementing the new local authority duties and will inform decisions on any Government support that might be required.

Beef Farmers

Mr. Barry Jones: To ask the Secretary of State for Wales what plans he has to introduce special financial measures to assist beef farmers following Government statements on bovine spongiform encephalopathy and Creutzfeldt-Jakob disease. [23408]

Mr. Gwilym Jones: Mechanisms for market support already exist within the common agricultural policy for intervention purchases of beef from steers. In addition, we have announced that we will adopt the EU scheme to provide aid to farmers for the slaughter of young male calves from dairy herds. My right hon. and learned Friend the Minister of Agriculture, Fisheries and Food is today discussing in Council how best to restore confidence in the beef market.

Mr. Barry Jones: To ask the Secretary of State for Wales what estimate he has made of the number of farmers who depend principally upon beef farming. [23409]

Mr. Gwilym Jones: According to the particular farm types in the June 1995 agricultural census, there are an estimated 3,625 farm holdings in Wales where the principal activity is beef farming.

Mr. Barry Jones: To ask the Secretary of State for Wales what estimate he has made of the current size of the beef herd. [23407]

Mr. Gwilym Jones: At June 1995 there were an estimated 218,900 cows in the Welsh beef breeding herd.

Mr. Barry Jones: To ask the Secretary of State for Wales what recent discussions he has had with the farmers unions concerning BSE and CJD; and if he will make a statement. [23410]

Mr. Gwilym Jones: My right hon. Friend met representatives of the farming unions on 21 March to discuss the announcements made the previous day regarding BSE and CJD by my right hon. Friend the Secretary of State for Health and my right hon. and learned Friend the Minister of Agriculture, Fisheries and Food. I met the Farmers Union of Wales on 27 March. The Welsh Office will continue to keep in touch with the farming unions on these matters.

Mr. Morgan: To ask the Secretary of State for Wales how many *(a)* cases of BSE and *(b)* affected farms in Wales and its constituent counties there have been broken down by (i) pedigree beef herds, (ii) mixed beef and dairy farms and (iii) dairy-only herds. [24386]

Mr. Hague: The number of BSE cases and affected farms in Wales broken down by dairy, mixed beef herds as at 29 March 1996 and pedigree beef herds as at 9 March 1996 is as follows:

County	*Cases in dairy herds*	*Farms*	*Cases in mixed herds*	*Farms*	*Cases in beef herds*	*Farms*	*Cases in pedigree beef herds*	*Farms*
Clwyd	1,865	493	91	37	478	162	1	1
Dyfed	6,428	1,587	530	214	691	418	18	13
Gwent	906	196	63	14	119	77	3	2
Gwynedd	324	146	63	31	271	208	4	5
Powys	969	258	34	11	1,256	697	—	—
Mid Glamorgan	171	34	8	4	67	37	—	—
South Glamorgan	369	62	11	4	43	12	—	—
West Glamorgan	68	28	6	5	40	19	—	—

Countryside Stewardship Scheme

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement on the countryside stewardship scheme. [23565]

Mr. Gwilym Jones: The countryside stewardship scheme is administered by the Ministry of Agriculture, Fisheries and Food in England. Within Wales, the experimental Tir Cymen scheme, administered by the Countryside Council for Wales, seeks to combine effective farming with whole farm conservation.

Historic Buildings (Restoration Materials)

Mr. Llwyd: To ask the Secretary of State for Wales what steps he is taking to ensure that there is an adequate supply of Welsh slate and other industrial building materials needed for the authentic restoration of Wales's historic buildings; and if he will make a statement. [23526]

Mr. Gwilym Jones: I am not aware of any significant shortage in the supply of appropriate materials.

Farm Animal Welfare

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement on his policy concerning the welfare of farm animals. [23532]

Mr. Gwilym Jones: The welfare of livestock on agricultural land is protected in Great Britain by the Agriculture (Miscellaneous Provisions) Act 1968 which makes it an offence to cause unnecessary distress or pain to any livestock. Subordinate legislation and associated welfare codes lay down more detailed requirements which are enforced by the State Veterinary Service.

A465

Mr. Llwyd: To ask the Secretary of State for Wales if he will state the number of *(a)* deaths, *(b)* injuries and *(c)* accidents on the A465 heads of the valleys since 1990; and if he will make a statement. [23821]

Mr. Gwilym Jones: The information requested is in the following table. The data which cover personal injury accidents recorded by the police, relate to the entire length of the A465.

	1990	1991	1992	1993	1994	1995
Deaths	9	6	10	6	5	7
Injuries	183	180	167	178	153	250
Accidents	110	108	100	101	98	131

New Residents

Mr. Llwyd: To ask the Secretary of State for Wales what estimate he has made of the number of individuals who moved residence from England to Wales in 1995; and if he will make a statement. [23827]

Mr. Gwilym Jones: The latest available figure for 1995 is from the national health service central register for the 12 months ending September which shows some 52,500 people previously registered in England as having registered with an NHS doctor in Wales. This count excludes armed forces personnel and any others not registered with an NHS doctor.

Crash Barriers

Mr. Llwyd: To ask the Secretary of State for Wales how many miles of *(a)* dual carriageway and *(b)* motorway in Wales are without crash barriers; and if he will make a statement. [23830]

Mr. Gwilym Jones: There are 14.78 miles of trunk road dual carriageway in Wales without central reserve safety fencing, details for non-trunk roads are not held by the Department. There is central reserve fencing on the entire length of the M4 in Wales.

Development Projects (EU Funding)

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales if he will list the development projects in Wales that have attracted grants from the European regional development fund since 1994; on what dates the grants were given; and if he will make a statement. [23973]

Mr. Gwilym Jones: Under the objective 5b rural Wales single programming document 1994–1999 and the objective 2 industrial south Wales single programming document 1994–1996, more than 430 projects have been approved to receive grant assistance from the European regional development fund resources available to these programmes. The lists of projects approved for grant were published in Welsh Office press notice dated 24 August 1995, 5 February 1996 and 18 March 1996 and copies are available in the Library of the House. The dates on which the approval letters were issued and when payments on claims have been made will vary in each individual case.

County Council Social Services

Mr. John Morris: To ask the Secretary of State for Wales what machinery is available to consider current complaints involving county council social services when those councils are abolished on 31 March. [24293]

Mr. Gwilym Jones: Under section 53 of the Local Government (Wales) Act 1994, responsibility for dealing with the complaint transfers to the new authority or authorities for the area to which the complaint relates.

The section ensures that the new authorities inherit the implications of any decisions taken by the old authorities—anything done by an old authority shall be deemed to have been done by the new authority for its continuing effect.

Environmental Issues

Mr. Wigley: To ask the Secretary of State for Wales if he will place a copy of his speech made on 27 March, at Bangor, and concerning environmental issues in Wales, in the Library. [24474]

Mr. Hague: Yes, I have placed a copy in the Library.

Regulations

Mr. Steen: To ask the Secretary of State for Wales which of the 1,000 regulations identified for repeal or amendment by the Prime Minster are the responsibility of his Department of those which *(a)* have been repealed or amended and *(b)* are planned to have been repealed or amended by the end of the 1995–96 parliamentary Session; and if he will list those whose repeal has saved business more than £1 million per annum. [23646]

Mr. Hague: I refer my hon. Friend to the answer given to him today by my right hon. Friend the Chancellor of the Duchy of Lancaster.

Basketball

Mr. Michael: To ask the Secretary of State for Wales what assistance has been given *(a)* in cash and *(b)* in other ways by his Department or its agencies towards the maintenance and development of basketball in each of the last 10 years. [24122]

Mr. Gwilym Jones: The Welsh Office has given no direct assistance towards the maintenance and development of basketball. The Sports Council for Wales has provided grant aid to the Basketball Association of Wales as follows:

1985–86: £8,400
1986–87: £8,165
1987–88: £9,000
1988–89: £26,105
1989–90: £44,849
1990–91: £32,040
1991–92: £39,049
1992–93: £42,577
1993–94: £52,284
1994–95: £53,194
1995–96: £46,057.

In addition, under Sportsmatch, the Government's business sponsorship incentive scheme for sport launched in 1992, the council has made grant awards totalling £10,500 to the sport of basketball.

Local Government Reorganisation

Mr. Llwyd: To ask the Secretary of State for Wales if he will list the unitary councils giving the names in *(a)* Welsh and *(b)* English as set out in the Local Government (Wales) Act 1994 and indicating which have sought a change of name and the names sought in (i) Welsh and (ii) English. [23914]

Mr. Gwilym Jones: The names of the unitary authorities as set out in the Local Government (Wales) Act 1994 are as follows:

English	*Welsh*
Counties	
Anglesey	Sir Fôn
Caernarfonshire and Merionethshire	Sir Gaernarfon a Meirionnydd
Cardiff	Caerdydd
Cardiganshire	Sir Aberteifi
Carmarthenshire	Sir Gaerfyrddin
Denbighshire	Sir Dbinbych
Flintshire	Sir y Fflint
Monmouthshire	Sir Fynwy
Pembrokeshire	Sir Benfro
Powys	Powys
Swansea	Abertawe
County Boroughs	
Aberconwy and Colwyn	Aberconwy a Cholwyn
Blaenau Gwent	Blaenau Gwent
Bridgend	Pen-y-bont ar Ogwr
Caerphilly	Caerffili
Merthyr Tydfil	Merthyr Tudful
Neath and Port Talbot	Castell-nedd a Phort Talbot
Newport	Casnewydd
Rhondda, Cynon, Taff	Rhondda, Cynon, Taf
Torfaen	Tor-faen
The Vale of Glamorgan	Bro Morgannwg
Wrexham	Wrecsam

Five councils have sought and been given consent by my right hon. Friend the Secretary of State for Wales for a change of name.

They are:

Old name	*New name*
Anglesey	Isle of Anglesey
Sir Fôn	Sir Ynys Môn
Caernarfonshire and Merionethshire	Gwynedd
Sir Gaernarfon a Meirionnydd	Gwynedd
Neath and Port Talbot	Neath Port Talbot
Castell-nedd a Phort Talbot	Castell-nedd Port Talbot
Aberconwy and Colwyn	Conwy
Aberconwy a Cholwyn	Conwy
Cardiganshire	Ceredigion
Sir Aberteifi	Sir Ceredigion

The changes take effect from 2 April 1996.

Child Abuse, North Wales (Report)

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 28 March, how many copies of the John Jillings report into child sex and physical abuse in north Wales children's homes were supplied to the social services inspectorate of his Department; when they were obtained; if they were obtained initially in draft; what requests they have received to return those copies for pulping; what the inspectorate's response was; and if he will make a statement. [24430]

Mr. Hague: Five copies of a draft of the Jillings report were sent to the Chief Inspector of Social Services for Wales by Clwyd county council on 22 February so that a check could be made for factual accuracy. We understand that, at the end of last week, Clwyd county council was seeking some 200 amendments to the report. The acting director of social services of Clwyd county council wrote to the social services inspectorate for Wales on 22 March seeking the return of the "uncorrected" copies. The Department has retained these copies and is still awaiting receipt of the report in its final form. When the final version is received, the copies will be returned.

Cardiff Bay Development Corporation

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 28 March, *Official Report*, column *721*, what were the principal components of the consultancy expenditures by the Cardiff Bay development corporation in *(a)* 1994–95, *(b)* 1995–96 and *(c)* agreed or expected for 1996–97. [24427]

Mr. Hague: The detail of this expenditure is an operational matter for the corporation. I will ask the chief executive to write to the hon. Member and will arrange for a copy of his response to be placed in the Library.

Television Licences

Mr. Llwyd: To ask the Secretary of State for Wales (1) how many people in Wales have been prosecuted over the last five years for failure to pay for television licences; and if he will make a statement; [23250]

(2) how many people have been prosecuted over the last five years for failure to pay for television licences; and if he will make a statement. [23286]

Mr. Sproat: I have been asked to reply.

The number of people in *(a)* the United Kingdom and *(b)* Wales prosecuted for television licence evasion, in each of the last five financial years, is approximately as follows:

	United Kingdom[1]	*Wales*[2]
1990–91	183,000	12,800
1991–92	209,000	13,500
1992–93	232,000	15,700
1993–94	219,000	13,600
1994–95	210,000	12,600

[1] Rounded to nearest 1,000.
[2] Rounded to nearest 100.

CHURCH COMMISSIONERS

St. George's, Hanover Square

Mr. Frank Field: To ask the right hon. Member for Selby, representing the Church Commissioners, if the Church Commissioners take *(a)* the £7,000 annual payments from the charitable funds of St. George's, Hanover square, paid into the incumbents in the old St. George's parish area and *(b)* the £3,500 payments to the assistant curate into account when paying their stipends. [23780]

Mr. Alison: Individual stipend levels are set by dioceses subject to certain understandings as to minimum levels. Dioceses take into account income from local trusts—such as those from the charitable funds of St.

George, Hanover square. This follows the method for computing income for augmentation purposes approved by the General Synod in 1975. As a result, the incumbent of St. George, Hanover square receives no augmentation from the diocese of London and his stipend consists almost entirely of income from local charitable funds—with the exception of certain small statutory amounts paid to every incumbent from the Church Commissioners' funds. The assistant curate receives no income from these charitable funds.

St. Ethelburga Rebuilding Programme

Mr. Frank Field: To ask the right hon. Member for Selby, representing the Church Commissioners, what steps the commissioners took to ensure fair competition in appointing the architect for the St. Ethelburga's rebuilding programme. [23781]

Mr. Alison: St. Ethelburga is technically a redundant church vesting in the London diocese, which has yet to make a formal proposal to the Church Commissioners for its future use.

SOCIAL SECURITY

Occupational Pensions

Mr. Denham: To ask the Secretary of State for Social Security what estimate he has made of the average time required by his Department to issue a new contracting-out certificate, after receipt of the application. [23122]

Mr. Heald: The issue of new contracting-out certificates is the responsibility of the Occupational Pensions Board.

Since April 1995, the OPB has issued all new certificates within its target of five days of receipt of all correctly completed documentation.

Mr. Denham: To ask the Secretary of State for Social Security what will be the statutory timetable for conducting *(a)* the consultation procedures for the purposes of sections 16 to 21 of the Pensions Act 1995, *(b)* the consequential nomination and selection of member-nominated trustees or directors and *(c)* the consultation procedure in connection with an application for a contracting-out certificate under the amended contracting-out requirements inserted by the Pensions Act 1995. [23124]

Mr. Heald: We propose to introduce regulations which will give trustees six months to obtain approval for nomination and selection rules and to implement the appointment of member-nominated trustees or directors. Employers will also have six months in which to secure the approval of scheme members for any alternative to member-nominated trustees or directors. The trustees' six months will run from the date on which the employer gives notice that he does not wish either to make, or to continue with, an alternative proposal.

The regulations will contain transitional provisions which will permit schemes to start the consultation procedures from October 1996 and will allow the balance of any time between October 1996 and April 1997 not used by the employer to be added to the trustees' statutory six months.

There is currently no statutory timetable for conducting the consultation process required in connection with an application for a contracting-out certificate and we have no plans to change this for applications made after 6 April 1997.

Mr. Denham: To ask the Secretary of State for Social Security how many *(a)* employments and *(b)* earners currently contracted out he estimates will cease to be contracted out, following the commencement of the Pensions Act 1995. [23127]

Mr. Heald: The provisions of the Pensions Act 1995, including the new flexibilities proposed for contracted-out mixed-benefit schemes, are designed to ensure that contracting out remains an attractive option for the future.

In his report on the effect of the financial provisions of the Pensions Bill 1994 on the national insurance fund—Cm 2714—the Government Actuary provided details of the assumptions used to determine the estimates of the number of contributions contracted out during the period covered by the report.

Mr. Denham: To ask the Secretary of State for Social Security what advice his Department has issued as to the date by which employers commence the three-month statutory consultation procedure required for an employment to be contracted out. [23131]

Mr. Heald: The Occupational Pensions Board has issued guidance on the procedures for elections to contract out and consultation. There is no statutory three-month period of consultation. There is, however, a statutory requirement on the employer to issue a notice of intention to contract out which will normally be for a period of three months.

How the consultation process is to be conducted is not laid down in legislation, although the OPB recommends that, as a matter of good practice, consultation should be started in advance of giving notice of intention to contract out.

Mr. Denham: To ask the Secretary of State for Social Security if his Department will advise members of occupational pension schemes who are aged just over a year before the scheme's normal pension age to transfer to a personal pension scheme; and what estimates his Department has made of the effect on the cash flow of occupational pension schemes of such transfer. [23195]

Mr. Heald: No. I recommend anyone considering such a transfer to seek financial advice. General information on transferring into a personal pension is, however, contained in leaflet "PP 1" published by the Department. The Securities and Investments Board also publishes fact sheets for people considering opting out of their employer's scheme and transferring to a personal pension.

An estimate of the cash flow effects on occupational schemes would not be worthwhile in the absence of any firm evidence that significant numbers of such transfers would take place.

Mr. Denham: To ask the Secretary of State for Social Security what were the results of the compliance cost assessment conducted by his Department in respect of the administrative cost imposed on employers and occupational pension schemes of implementing the changes in contracting-out arrangements. [23125]

Mr. Heald: The compliance cost assessment in respect of the Pensions Bill of 1994 was published in December 1994 and was updated in April 1995. It takes into account the implications for employers and schemes of the changes to the contracting-out arrangements. The CCA will shortly be further updated to reflect the impact of the provisions contained in secondary legislation.

Mr. Denham: To ask the Secretary of State for Social Security what assessment he has made of the consistency of his proposal concerning the treatment of pensioners' rights on wind-up of an occupational scheme with section 67 of the Pensions Act 1995. [23159]

Mr. Heald: The statutory priority order which trustees will have to follow when a scheme subject to the minimum funding requirement winds up will not change any member's rights. A scheme with sufficient funds to meet all of its liabilities will be able to discharge them in full.

If a scheme winds up in deficit, that statutory priority order will ensure an equitable distribution of the assets. It will protect pensions in payment by giving them a high priority.

Mr. Denham: To ask the Secretary of State for Social Security (1) if he will issue guidance to non-public service occupational pension schemes on the treatment of guaranteed minimum pensions accruing in respect of pensionable service between 17 May 1990 and 5 April 1997; [23713]

(2) what guidance the Occupational Pensions Board has provided to occupational pension schemes or their administrators on the application of equal treatment requirements to guaranteed minimum pensions accruing from pensionable service completed between 17 May 1990 and 5 April 1997. [23712]

Mr. Heald: Neither the Department of Social Security nor the Occupational Pensions Board has issued guidance to occupational pension schemes in respect of equal treatment and guaranteed minimum pensions in the period 17 May 1990 to 5 April 1997 and none is planned.

Mr. Denham: To ask the Secretary of State for Social Security (1) if he will introduce regulations to ensure that professional advisers to occupational pension schemes are not obliged to report to the Occupational Pensions Regulatory Authority failures to conform with statutory requirements which have been rectified *(a)* before they come to the attention of the professional adviser and *(b)* within one month of being drawn to the attention of the trustees or managers of the scheme, where, in each case, no scheme member or beneficiary suffers loss as a result; [23714]

(2) if *(a)* he or *(b)* the Occupational Pensions Regulatory Authority will give guidance to occupational pensions scheme actuaries and auditors, on insignificant infringements of the Pensions Act 1995 which need not be reported to the Occupational Pensions Regulatory Authority; [23762]

(3) if he will direct the Occupational Pensions Regulatory Authority to seek to reach an understanding with relevant professional bodies before 6 April 1997, to ensure that those bodies issue guidance to limit reports of trivial infringements of the Pensions Act 1995. [23722]

Mr. Heald: We do not intend to introduce any regulations or issue any guidance on these matters. It will be for professional advisers, using their specialist knowledge and experience, to decide whether a matter is of material significance to the Occupational Pensions Regulatory Authority and should, therefore, be reported. Equally, it will be for the authority to decide what action to take in response to such reports and whether, in the light of any investigation, any penalty is appropriate.

It is, of course, open to the relevant professional bodies and the authority to issue guidance on these matters, if they consider it appropriate to do so. Indeed, we understand that the Auditing Practices Board and the Institute and the Faculty of Actuaries are considering guidance on the duty to report to the authority.

Mr. Denham: To ask the Secretary of State for Social Security (1) how many notifications of breaches of the Pensions Act 1995 or regulations made under it he expects the Occupational Pensions Regulatory Authority to receive *(a)* in the first six months and *(b)* subsequently on an annual basis; and what proportion of these he expects the Occupational Pensions Regulatory Authority to take action on; [23734]

(2) what estimate he has made of the number of instances where professional advisers will be obliged to make reports to the Occupational Pensions Regulatory Authority between 6 April 1997 and 5 July 1997; and what assessment he has made of the staff and resources available to the Occupational Pensions Regulatory Authority to enable it to deal with the above estimate. [23715]

Mr. Heald: It is not possible to forecast accurately the number of notifications of breaches that the Occupational Pensions Regulatory Authority will receive, as the authority will be enforcing new legislation in areas not presently subject to such a high degree of regulation. However, for resourcing purposes, estimates of overall work loads for the authority have been based on the number of inquiries currently received by the occupational pensions advisory service and on the experience of the Irish Pensions Board. On this basis, it has been estimated that the authority might expect to receive approximately 30,000 notifications in a full year from all sources. Of these cases, it is estimated that up to 20 per cent. might require the authority to consider taking some further form of regulatory or enforcement action, beyond initial investigation.

Reports from professional advisers will be only one of the many sources of notifications about problems with schemes available to the Occupational Pensions Regulatory Authority. It will be for the authority to decide the level of staff and resources it should make available to deal with such reports.

Mr. Denham: To ask the Secretary of State for Social Security to what level of accuracy and within what time scale he will require the Contributions Agency to make payments on his behalf to trustees or managers of contracted-out money purchase occupational pension schemes in accordance with the provision of section 42A of the Pension Schemes Act 1993; and if this will vary if an earner has been employed in more than one contracted-out money purchase pension scheme, simultaneously or consecutively, in a single year. [23123]

Mr. Heald: The administration of the Contributions Agency is a matter for Mrs. Faith Boardman, the chief executive. She will write to the hon. Member.

Letter from George Bertram to Mr. John Denham, dated 1 April 1996:

As the Chief Executive of the Contributions Agency is away from the office on annual leave, I have responsibility for answering questions about operational matters relating to the agency and the National Insurance (NI) scheme in her absence.

I have been asked to reply to your question regarding the Contributions Agency's accuracy levels and timescales for making payments to trustees or managers of Contracted-Out Money Purchase schemes and if this varies if any earner has been a member of more than one.

Following the end of each tax year the Agency receives, checks and processes approximately 40 million end-of-year returns (forms P14), containing National Insurance contributions and related earnings information. Because of the number involved the processing of forms P14 is spread over a period of months. The bulk of the processing is completed during the months from April to October, by which time approximately 90% of forms P14 are recorded on National Insurance accounts.

The Agency will be required to make the payments in question to 100% accuracy within one month of acceptable National Insurance contributions and related earnings information being recorded on earners National Insurance accounts. Where an earner has been a member of more than one Contracted-Out Money Purchase scheme separate such payments will be made to the respective schemes as and when the related earnings information is recorded.

I hope you will find this reply helpful.

Incapacity Benefit

Ms Jowell: To ask the Secretary of State for Social Security how many people who have applied for incapacity benefit but failed the all work test were formerly receiving invalidity benefit. [23729]

Mr. Burt: Up to the end of November 1995, approximately 34,000[1] former recipients of invalidity benefit had been found capable of work following the all work test of incapacity.

[1] Source: 5 per cent. extract from the incapacity benefit computer system.

Mrs. Lait: To ask the Secretary of State for Social Security what plans he has to review the operation of incapacity benefit. [24541]

Mr. Burt: The introduction of incapacity benefit was a major undertaking. In the light of practical experience so far, we are looking at ways of improving the administration of the benefit. Any changes will be tested and evaluated before they are adopted nationally. Three projects to test variations in detailed administrative procedures have been established based in Glasgow, Leeds and the south-east of England, to take this work forward.

Unclaimed Benefits (Wales)

Mr. Llwyd: To ask the Secretary of State for Social Security what estimate he has made of the total amount of unclaimed benefits in Wales; and if he will make a statement. [23527]

Mr. Roger Evans: A reliable estimate could be provided only at disproportionate cost.

Actors

Ms Walley: To ask the Secretary of State for Social Security if he will take steps to ensure that actors can continue to pay the higher class 1 national insurance; and if he will make a statement. [24011]

Sir David Steel: To ask the Secretary of State for Social Security what plans he has to remove actors from class 1 national insurance contributions and stop them claiming unemployment benefit between roles; what cost-benefit analysis he has conducted in respect of such plans; and if he will make a statement. [24075]

Mr. Heald: I refer the right hon. and hon. Member to the replies I gave to the hon. Members for Birkenhead (Mr. Field) and for Birmingham, Northfield (Mr. Burden) on 1 April.

National Insurance

Mr. Jim Cunningham: To ask the Secretary of State for Social Security if he will estimate the annual yield from employers' national insurance levied on salaries subsequently used by employees to make personal pension contributions. [23981]

Mr. Heald: Such estimates as are available are in the table.

Employers' National Insurance Contributions (NICS) paid in respect of employees with Personal Pensions.

£ billion

Year	*Amount of Employers' NICs*	
	Annual total	*Cumulative total*
1987–88	2.1	2.1
1988–89	2.6	4.7
1989–90	3.5	8.2
1990–91	4.1	12.3
1991–92	4.4	16.7
1992–93	4.7	21.4
1993–94	4.8	26.2

Notes:

1. There are no data available on that part of the earnings of personal pension holders which falls above the upper earnings limit. The calculations have therefore been made on the assumption that those with earnings above the UEL earned the same amount on average as *all* employees with earnings above the UEL in each year. They also assume that earnings are constant on a weekly or monthly basis throughout the year.
2. Employers' NICs are not payable where total earnings are below the annual lower earnings limit.

Source:

Government Actuary's Department.

Disability Discrimination Act 1985

Sir Nicholas Scott: To ask the Secretary of State for Social Security which sections of the Disability Discrimination Act 1985 are now in effect; and what plans he has for bringing further sections into effect. [24376]

Mr. Burt: The Disability Discrimination Act received Royal Assent on 8 November 1995. The National Disability Council was established in January 1996 to advise the Government on the implementation of the Act. It has already prepared its proposals for a code of practice which are currently the subject of public consultation. The Government plan to implement the new employment rights and the initial rights of access to goods, facilities

and services around the end of this year. The remaining rights will be implemented over a period of time, the length of which is subject to public consultation.

The education provisions are to be introduced over the next 18 months, with the first provisions coming into force in July 1996. The Department of Transport will be consulting in the near future on the transport provisions in the Act.

Regulations

Mr. Steen: To ask the Secretary of State for Social Security which of the 1,000 regulations identified for repeal or amendment by the Prime Minister are the responsibility of his Department; of those which *(a)* have been repealed or amended, and *(b)* are planned to have been repealed or amended by the end of the 1995–96 parliamentary Session; and if he will list those whose repeal has saved business more than £1 million per annum. [23654]

Mr. Burt: I refer the hon. Member to the reply given to him by my right hon. Friend the Chancellor of the Duchy of Lancaster today.

Housing Benefit

Mr. Frank Field: To ask the Secretary of State for Social Security how many *(a)* landlords and *(b)* agents in the last available year received housing benefit payments of more than £1 million from local authorities. [23779]

Mr. Roger Evans: This information is not available.

Child Support Agency

Mr. Hawkins: To ask the Secretary of State for Social Security when he expects to reply to the second report of the Social Security Committee of Session 1995–96 on the performance and operation of the Child Support Agency, HC 50. [24700]

Mr. Andrew Mitchell: The Government's reply is published today. The Committee's report is a useful and thorough examination of the work of the Child Support Agency. As the Committee commented, considerable progress has been made in increasing the quality of administration and there is now a growing acceptance that the CSA will be a permanent feature of British life.

The Committee makes 20 detailed recommendations aimed at further improving the quality of administration in the agency. The Government welcome these recommendations and respond to each in their reply. The reply indicates what action it will take to implement them, or for those recommendations which cannot be accepted in full, explains what other action will be taken to achieve the intended objectives.

At the same time, the agency will be sending the Committee a report of its investigation of the operation of the good cause provisions in child support. This thorough investigation, which was conducted at the request of the Committee, has shown that while the agency is operating a policy satisfactorily and as intended, providing protection to those parents with care who need it, the report has also identified potential abuses of the provisions, and suggests a number of ways in which good cause procedures can be improved. I have asked the agency to implement these improvements straight away where possible.

For the future, the report indicates that there may be a need to enhance the incentives to co-operate with the agency. I am determined to respond to indications that some parents may be abusing benefit and child support provisions and I am seeking the Committee's views on ways to tackle this problem.

We remain committed to a child support system that ensures that all parents meet their responsibilities to their children. To this end, we welcome all constructive suggestions for improving the service that the CSA offers to its clients. The Government look forward to further discussions with the Social Security Committee.

Ms Lynne: To ask the Secretary of State for Social Security what was the time taken by the Child Support Agency to clear *(a)* 25 per cent., *(b)* 50 per cent. and *(c)* 75 per cent. of requests for reviews of child maintenance. [23328]

Mr. Mitchell: The administration of the Child Support Agency is a matter for the chief executive, Miss Ann Chant. She will write to the hon. Member.

Letter from Miss Ann Chant to Ms Liz Lynne, dated 1 April 1996:

I am replying to your Parliamentary Question to the Secretary of State requesting information on the time taken by the Child Support Agency to clear requests for reviews of child maintenance.

Information on clearances of Second Tier Reviews is not collected in the percentage bands requested in your question. The Agency measures performance in accordance with Secretary of State's target for Second Tier Reviews by recording the percentage of reviews i) cleared within 13 weeks, ii) cleared within 26 weeks and iii) outstanding more than 26 weeks.

Performance at the end of February 1996, was as follows;

53% of second tier reviews were cleared within 13 weeks.

71% were cleared within 26 weeks.

27% were outstanding for more than 26 weeks.

Actual numbers of Second Tier Reviews received, cleared and on hand are published monthly in the House of Commons Library report.

I hope this is helpful.

Allowance for Lowered Standard of Occupation

Mr. Donohoe: To ask the Secretary of State for Social Security (1) if he will make a statement relating to the case of a constituent of Cunninghame, South, national insurance number YM 61 93 54 D, indicating under what legislation he can appeal against the withdrawal of his award of allowance for lowered standard of occupation; which agency will reach a decision on this appeal; and for what reasons on 12 March a letter from the War Pensions Agency indicated to him that he could not be supplied with a copy of the legislation governing allowance for lowered standard of occupation in relation to his case due to copyright laws; [23992]

(2) what factors led the War Pensions Agency to change the reference system used on the payment books for the allowance for lowered standard of occupation; when people in receipt of ALSO were asked to return these payment books; and how many of these were subsequently advised whilst the War Pensions Agency was replacing the reference numbers on their payment books that the level of payments of ALSO to them were being reduced; [23773]

(3) how many applicants in receipt of allowance for lowered standard of occupation have had their awards *(a)* reduced and *(b)* withdrawn; how much in benefits these applicants have lost as a result of this change; what are the reasons for these changes; and how long his Department has been incorrectly administering legislation in relation to ALSO; [23774]

(4) if he will make a statement relating to the case of a constituent of Cunninghame, South, national insurance number YM 61 93 54 D, indicating under what legislation his award of allowance for lowered standard of occupation was cancelled with effect from 3 April; for what reasons his award was reduced; when the mistake by his Department in relation to his award came to light; and what factors underlay the time taken by his Department to notice this mistake; [23993]

(5) if he will make a statement relating to the case of a constituent of Cunninghame, South, national insurance number YM 61 93 54 D, indicating under what legislation he was awarded his allowance for lowered standard of occupation on 20 July 1988. [23991]

Mr. Heald: These are matters for Mr. Kevin Caldwell, chief executive of the War Pensions Agency. He will write to the hon. Member.

Letter from K. C. Caldwell to Mr. Brian Donohoe, dated 1 April 1996:

The Secretary of State for Social Security has asked me to reply to your Parliamentary Questions about the Allowance for Lowered Standard of Occupation (ALSO).

Awards of ALSO are made under article 21 of the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 1983 (SPO). This legislation provides that ALSO may be awarded where the war pensioned disablement is such as to render a pensioner incapable, and likely to remain permanently incapable, of following his regular occupation. He must also be incapable of following any other suitable occupation which is of an equivalent standard.

At the end of 1994, it came to light that some awards of ALSO were based on an incorrect interpretation of the law. The error was considering only whether a pensioner could get back into service and whether civilian earnings were less than service earnings. Payments had therefore been made where the war pensioned disablement had had no effect on ability to follow the service occupation. The Secretary of State decided, therefore, to review all awards of ALSO to ensure they were soundly based. Article 67 of the SPO provides the power for the Secretary of State to withdraw any award found to be incorrectly made. No awards of ALSO are to be reduced but a total of 1301 pensioners are to have their ALSO withdrawn. The Secretary of State decided to exercise his discretion to continue all awards found to be incorrectly made until he had examined all appropriate cases and that all incorrect awards should be withdrawn from the common date of 3 April 1996. No-one will be asked to repay any money for ALSO, either already paid, or to be paid up to 3 April.

Those pensioners who, once ALSO has been cancelled, will continue to receive payment by order book for other awards under the War Pension scheme were notified on 14 March 1996 that a replacement book would be issued within a few days. They were then notified on 21 March 1996 of the arrangements for returning the old book. The remainder, whose regular War Pension payment consisted solely of ALSO, were notified on 21 March 1996 of the arrangements for returning their books.

You asked what factors underlay the time taken by the Department to notice the mistake. The original legislation, which was introduced in 1946, was to compensate the war time conscript, who, because of his war pensioned disablement, could no longer do the civilian job he had done before call-up. The legislation became much less clear cut as a result of amendments introduced in the 1970's to bring career servicemen and women within the scope of the allowance. The incorrect interpretation of the legislation had its roots in those 1970s legislative changes The majority of awards to be withdrawn were made in the 1990s and are being paid at the current maximum rate of £38.12 a week.

You ask under what legislation an appeal my be made against the decision to withdraw ALSO. Under the Pensions Appeal Tribunals Act 1943 there is no right of appeal against a decision on a war pensions supplementary allowance. These decisions are administrative in character and are made by the Secretary of State in exercise of the power conferred on him by article 70, as the sole interpreter and administrator of the Order. As such, his decisions are susceptible to challenge only by judicial review.

You also ask about your constituent (NINO YM619354D). He received a Gratuity, under the War Pensions Scheme for disablement assessed at 6–14 per cent. and currently receives ALSO. In the Secretary of State's view, his disablement does not prevent him from following his regular service occupation of "Driver" and his award of ALSO is therefore to be withdrawn on 3 April 1996.

When your constituent telephoned the Agency and asked for a copy of the relevant legislation, this was taken as meaning he wanted a copy of the whole publication, ie the SPO. The War Pensions Agency is not able to supply copies of the SPO in its entirety as it is a priced item supplied by Her Majesty's Stationery Office. Our letter of 12 March 1996 told him that he could view a copy of the legislation at his local War Pensioners' Welfare Office. However, it is clear that a copy of the relevant two page extract from the legislation, ie Article 21, could have been copied and sent to him. I am sorry that this course of action was not immediately taken but I can confirm that these papers have now been sent to him.

Finally, you ask about the factors which led us to change the reference system used on payment books. The War Pensions Agency previously used two separate computer systems; one to support administration of a claim, the other to make payment. The two systems used different reference numbers. Since April 1995, the Agency has introduced a new computer system which supports the administration of claims through to payment. As part of that change the Agency, in accordance with the Department's long term strategy, introduced the use of the National Insurance number as the sole reference number. This change has affected all War Pensioners' records, on a rolling programme, not just of those in receipt of ALSO. The change to the use of national Insurance numbers does not affect War Pensions payments and is completely unconnected to the review of ALSO awards.

I hope you find this information useful.

Benefits Agency (Advice line)

Mr. Frank Field: To ask the Secretary of State for Social Security (1) what is the current budget for the Benefits Agency's freeline benefit advice line service; and what are the proposed budgets for the next two financial years; [23847]

(2) if he will make a statement on the future of the Benefits Agency's freeline benefit advice line; and if he will make a statement; [23848]

(3) how many Benefits Agency staff are employed to run the Benefits Agency's freeline benefit advice line. [23849]

Mr. Roger Evans: This is a matter for Peter Mathison, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Ursula Brennan to Mr. Frank Field, dated 1 April 1996:

As Peter Mathison is on leave at the moment, the Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions asking what is the current budget for the Benefits Agency's (BA's) freeline benefit advice line service; and what are the proposed budgets for the next two financial years; if he will make a statement on the future of the BA's freeline benefit advice line; and how many Benefits Agency (BA) staff are employed to run the benefits Agency's freeline benefit advice line.

The budget for the BA Freeline Benefit Advice Line was £6.3 million for 1995/96 and the planned budget for 1996/97 is £6.6 million, which cover staff and running costs including telecomms costs. A review of the service provided is currently being undertaken. Until the results of the review are known I am unable to indicate what the proposed budgets might be for the following financial year.

The review will be looking at options for handling these types of enquiries within our overall benefit advice services.

The BA Freeline Benefit Advice Line has 192 full time and 77 part time staff in post as at 18 March 1996.

I hope you find this reply helpful.

Social Fund

Mr. Bradley: To ask the Secretary of State for Social Security, pursuant to his answer of 25 March, *Official Report*, column *433*, if he will list the reasons for refusal of the eight applicants who were not eligible for a social fund grant. [23845]

Mr. Roger Evans: The administration of the social fund is a matter for Peter Mathison, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Ursula Brennan to Mr. Keith Bradley, dated 1 April 1996:

As Peter Mathison is on leave at the moment, the Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking pursuant to his Answer of 25th March, Official Report, column 433, if he will list the reasons for refusal of the eight applicants who were not eligible for a social fund grant.

Following Mr. Mathison's letter of 22 March 1996, I am now advised that one of the applicants was in fact awarded a Community Care Grant following their application. I apologise for this mistake.

The reason for refusal of the other seven applicants was that, in the opinion of the Social Fund Officer and based upon the individual circumstances pertaining to each application, Direction 4 (a) (i), (ii) and (iii) was not satisfied.

It may be helpful if I provide a explanation of the Direction which states:-

A Social Fund payment may be awarded to promote community care—

(a) by assisting an applicant with expenses, including expenses of travel within the United Kingdom (except those excluded by these directions) where such assistance will—

(i) help the applicant, a member of his family, or other person for whom the applicant (or a member of his family) will be providing care, to re-establish himself in the community following a stay in institutional or residential care; or

(ii) help the applicant, a member of his family or other person for whom the applicant (or a member of his family) will be providing care, to remain in the community rather than enter institutional or residential care; or

(iii) ease exceptional pressures on the applicant and his family.

Since the original decisions were made, one of the seven other applicants has requested a review of the decision not to award a Community Care Grant. A Social Fund Review Officer has reconsidered the original decision in the light of new information and has replaced the Budgeting Loan with a Community Care Grant award.

I hope you find this reply helpful.

Written Answers to Questions

Wednesday 3 April 1996

DUCHY OF LANCASTER

HMSO

Mr. Patrick Thompson: To ask the Chancellor of the Duchy of Lancaster what further information he plans to make available to Parliament at this stage of the privatisation of HMSO. [25219]

Mr. Freeman: An advertisement for the sale of HMSO appeared in the press on Tuesday 26 March. Potential bidders who satisfy the pre-qualification process will receive the information memorandum describing the business for sale shortly after Easter. The information memorandum has been written primarily to meet the requirements of these bidders. It contains commercially sensitive material and therefore, in order to protect the interests of the Crown, access to the information memorandum will be carefully controlled, with bidders signing a comprehensive confidentiality agreement.

However, in recognition of the unique role which HMSO plays by providing services which are essential to the smooth working of Parliament, I have already agreed that a copy of the information memorandum will be provided, on a confidential basis, to the Clerk of the Finance and Services Committee.

On further consideration of Parliament's particular interest in this privatisation, I have decided to arrange for an edited version of the information memorandum to be placed shortly in the Library of the House. This edited version will contain information relevant to the House's interest in the sale but will exclude commercially sensitive information.

LORD PRESIDENT OF THE COUNCIL

Waste Minimisation

Ms Ruddock: To ask the Lord President of the Council if he will make a statement on progress in establishing an office waste minimisation strategy for his Department, indicating the targets set. [24513]

Mr. Newton: My Department fully supports the Government's strategy set out in the White Paper, "Making Waste Work, a waste strategy for England and Wales". The adoption of a separate Privy Council Office waste minimisation strategy and target may not be appropriate, given the Department's small size and the fact that it is located within the Cabinet Office. Consideration will be given to this, however, in the coming months.

NATIONAL HERITAGE

Television Receivers

Mr. French: To ask the Secretary of State for National Heritage if she will commission a report on the technical and practical considerations of requiring all new television receivers to be fitted with a V-chip; and if she will make a statement. [22139]

Mr. Sproat: The Government are studying the technical and practical implications of the V-chip, and other similar devices. On 26 March the Department hosted a seminar organised by the Advertising Association at which Dr. Pober, executive director of the US Entertainment Software Rating Board, and Professor Goldstein, an expert in studies on violence and the media from Utrecht university, shared their knowledge of the experience to date in the USA.

Contracts

Mr. Donohoe: To ask the Secretary of State for National Heritage what guidelines are currently in force in her Department and its executive agencies relating to competitive tendering and the use of single negotiated tenders; on what grounds single negotiated tenders can be used; and what procedures are in place within her Department to ensure that the use of single negotiated tenders in competitive tendering processes is justified in all cases. [22848]

Mr. Sproat: My Department and its executive agencies abide by the Government's public purchasing policy, published in the document "Public Purchasing Policy: Consolidated Guidelines". The policy states that goods and services are to be acquired by competition unless there are convincing reasons to the contrary. In addition, EC procurement directives and the World Trade Organisation government procurement agreement require most contracts above specified thresholds to be awarded following competition, subject to certain specified exceptions. The central unit on procurement's guidance note No. 40 provides an overview of best practice in the competitive tendering process.

To ensure that value for money is obtained, goods and services are subject to competitive tender wherever practicable. In exceptional circumstances, single tender action may be permissible where (i) there is no alternative source of supply, (ii) specialist knowledge or expertise exists with a particular supplier, (iii) there is an overriding urgency arising from circumstances outside the Department's control. Any case for single tender action must be approved at director or chief executive level in the agencies and head of division level in my Department.

My Department has a single tender delegation from HM Treasury of £25,000. Beyond this, my Department has no authority and must seek approval from HM Treasury.

Mr. Donohoe: To ask the Secretary of State for National Heritage how many contracts for goods or services have been awarded by her Department and its executive agencies on the basis of single negotiated contracts in each of the last three years; if she will list the companies involved and the value of the contract in each case; what percentage this represented of contracts awarded by her Department and its agencies after

competitive tendering; and, in each case, why the contracts were awarded on the basis of a single negotiated tender. [22862]

Mr. Sproat: The total number and value of single tender contracts, with a value exceeding £500, awarded by my Department and its agencies in each of the last three years is shown in the table. In order to preserve commercial confidentiality, the information cannot be identified by value and individual contractor. In the majority of cases the reason for single tender has been due to (i) the specialist knowledge and expertise of the selected contractor, and (ii) overriding urgency arising from circumstances outside my Department's or its agencies' control. As can be seen from the table, the value of contracts let by single tender represents a small percentage of the total value of contracts let by my Department and its agencies.

	1993–94	*1994–95*	*1995–96*
Total number of contracts let by single tender	13	26	36
Total value of contracts let by single tender	£178,806	£401,200	£489,140
Single tender contracts expressed as a percentage of competitive contracts (by number)	8	8	9
Single tender contracts expressed as a percentage of competitive contracts (by value)	1.3	1.6	1.6

Sports Council (Information Technology Training)

Ms Walley: To ask the Secretary of State for National Heritage when Sports Council staff will be fully trained in IT skills to handle administration of all programmes; and if she will make a statement about the training needs. [23086]

Mr. Sproat: These are matters for the members and senior management of the Sports Council, who have day-to-day responsibility for ensuring that the council operates as effectively and efficiently as possible with the resources at its disposal.

Waste Minimisation

Ms Ruddock: To ask the Secretary of State for National Heritage if she will make a statement on progress in establishing an office waste minimisation strategy for her Department, indicating the targets set. [24503]

Mr. Sproat: Waste minimisation is a key aspect of my Department's existing green housekeeping strategy. We are planning to set targets for waste minimisation by the end of 1996.

Computers

Mr. David Atkinson: To ask the Secretary of State for National Heritage if she will make a statement on the problem of non-recognition by computers of the year 2000 with regard to her Department's computers and those for which it is responsible. [24404]

Mr. Sproat: The Department of National Heritage is currently reviewing the necessity for any changes to computer systems to support the year 2000.

Children's Play

Mr. Robert G. Hughes: To ask the Secretary of State for National Heritage when the new arrangements for children's play will commence. [25217]

Mrs. Virginia Bottomley: On 21 November 1995, *Official Report*, column *67*, I announced that, subject to the successful completion of post-tender negotiations, the National Playing Fields Association would carry out work for my Department in the areas of playwork education and training, information dissemination and play safety. I am pleased to report that my Department has successfully completed post-tender negotiations with the association and that it will be carrying out work for my Department in these three areas from 1 May.

Public Libraries

Mr. Robert G. Hughes: To ask the Secretary of State for National Heritage if she will make a statement on contracting out in public libraries. [25218]

Mrs. Virginia Bottomley: Following consultation with a wide range of interested parties on the report commissioned by my Department from KPMG on contracting out in the public library service, which was published following my previous written answer on 19 July 1995, *Official Report*, columns *1457–58*, my right hon. Friends the Secretaries of State for Scotland and for Wales and I have decided for the present not to introduce competitive tendering in the public library service on a compulsory basis. However, we believe that the public library service should be encouraged to continue to improve its management and effectiveness by involving the private sector more. We intend to explore, over the coming months, how this can best be done and to set out our proposals in detail later in the year.

Lyric Theatre, Wales

Mr. Morgan: To ask the Secretary of State for National Heritage (1) what representations she has had concerning the adoption of a new lyric theatre for Wales as a successor scheme to the scheme for the Cardiff Bay opera house as a candidate for Millennium Commission funding; [22107]

(2) what consultations she has had with the chairman of the Millennium Commission on the involvement of Sir Andrew Lloyd Webber and Cameron Mackintosh and their companies in bidding jointly with the Cardiff Bay development corporation for millennium funding for a new lyric theatre for Wales in Cardiff bay. [22418]

Mrs. Virginia Bottomley *[holding answers 21 and 22 March 1996]:* This is a matter for the Millennium Commission. I shall reply to the hon. Member in my capacity as chairman of the commission and place copies of my reply in the Libraries of the House.

TRANSPORT

Motorway Tolling

Mr. Allen: To ask the Secretary of State for Transport how many consortiums he now expects to take part in the motorway tolling trials; when contracts for the trials will be signed; and when he expects the trials to begin. [22764]

Mr. Watts: Negotiations with consortiums invited to participate in the motorway tolling trials are continuing.

Highways Agency Budget

Sir Thomas Arnold: To ask the Secretary of State for Transport how the Highways Agency budget for 1996–97 is to be distributed between *(a)* regions and *(b)* individual schemes. [23082]

Mr. Watts: I have asked the chief executive of the Highways Agency to write to my hon. Friend.

Letter from Lawrie Haynes to Sir Thomas Arnold, dated 3 April 1996:

The Secretary of State for Transport has asked me to reply to your recent question about how the Highways Agency budget for 1996–97 is to be distributed between (a) regions and (b) individual schemes.

Information relating to planned 1996–97 expenditure was published in our Business Plan on 1 April. For the National Trunk Road Programme funds are not allocated to regions but to individual schemes. An allocation of £713 million has been made for expenditure on the attached list of National Schemes and on settlements for some completed schemes. Levels of expenditure on individual schemes will be determined by the speed at which works progress during the year.

Road	
Schemes under construction at April 1996	
M1/M621	Link Road, Leeds MB
M1	J21-21A Widening Phase 1, Leicestershire
M4/M5	Second Severn Crossing Approach Roads, Avon
M4	Second Severn Crossing, Avon
M5	J18–19 Widening, Avon
M6	J20–21 Widening, Lancashire
M25	J7–8 Widening, Surrey
M25	J8–10 Widening, Surrey
M65	Blackburn Southern Bypass Contract 1, Lancashire
M65	Blackburn Southern Bypass Contract 2, Lancashire
M66	Denton-Middleton Contract 1, Tameside MB, Manchester MB Oldham MB, Bury MB, Rochdale MB
M66	Denton-Middleton Contract 2, Tameside MB, Manchester MB Oldham MB, Bury MB, Rochdale MB
A1(m)	Walshford-Dishforth, North Yorkshire
A4/A46	Batheaston/Swainswick Bypass, Avon
A11	Besthorpe-Wymondham, Norfolk
A12	Hackney Wick-M11 Link Contract 2, LBs Hackney, Redbridge Waltham Forest, Newham
A12	Hackney Wick-M11 Link Contract 4, LBs Hackney, Redbridge Waltham Forest, Newham
A13	Thames Avenue-Wennington, LB Barking and Dagenham
A13	Blackwall Tunnel/Cotton Street Junction Imp, LB Tower Hamlets
A47	Walpole Highway/Tilney High End Bypass, Norfolk
A50	Blythe Bridge-Queensway Phase 1, Staffordshire
A50	Blythe Bridge-Queensway Phase 2, Staffordshire
A249	M2-Iwade Imp. Kent
A406	Silver Street-Fore Street Imp, LB Enfield
A406	East of Falloden Way-Finchley High Road, LB Barnet
A428	Bedford Southern Bypass, Bedfordshire
A564	Derby Southern Bypass and Derby Spur Contract A, Derbyshire
A568	Widnes Eastern Bypass (South) Cheshire Trunk Road Cabling and Communications, London
Schemes expected to start by 31 March 1997	
A12	Hackney Wick-M11 Link Contract 1, LB Hackney, Redbridge, Waltham Forest
A12	Hackney Wick-M11 Link Contract 3, LB Hackney, Redbridge, Waltham Forest
A13	Wennington-Mar Dyke, Essex
A13	West of Heathway-Thames Avenue Imp, LB Barking and Dagenham
A34	Newbury Bypass, Berkshire
A40	Gypsy Corner Imp. LB Hounslow
A40	Western Circus Junction Imp. LB Ealing London Primary Route Signing Project

London Underground

Mr. Deva: To ask the Secretary of State for Transport if he will discuss with the chairman of London Transport the stopping of Piccadilly line trains at Turnham Green. [23437]

Mr. Norris: Yes. I shall raise the matter at my next regular meeting with the chairman of London Transport.

Central Railway plc

Mr. Pawsey: To ask the Secretary of State for Transport if he has reached a decision on the application by Central Railway plc for directions under rule 12 of the Transport and Works (Applications and Objections Procedure) Rules granting waivers from compliance with certain application requirements in respect of the Central Railway project. [24954]

Mr. Watts: Yes. Having taken into account the views we have received from Members of Parliament, local planning authorities and others, my right hon. Friend the Secretary of State has decided to refuse Central Railway's applications for waiver directions under rule 12 of the Transport and Works (Applications and Objections Procedure) Rules, in so far as they relate to the provision of plans, sections and cross-sections of the works. Subject to further consideration of the scope of non-compliance, he is prepared to agree to partial waivers in respect of the serving of application documents on certain local planning authorities and other statutory bodies. He may also be prepared to waive full compliance with the rules relating to the placing of site notices, subject to being satisfied that persons affected would not be materially prejudiced by such a decision. My right hon. Friend's reasons for refusing waivers are set out in a letter sent today to Central Railway plc. Copies of the letter have been placed in the House of Commons Library and will be sent to all MPs with a constituency interest.

Newbury Bypass

Sir David Mitchell: To ask the Secretary of State for Transport what progress has been made on the clearance work for the Newbury bypass. [25216]

Mr. Watts: The Highways Agency has completed the tree felling stage of the clearance work. A few trees remain on site, some of which harbour wildlife, which

will not be disturbed until later in the year—in compliance with environmental legislation. Furthermore, some 85 per cent. of felled trees have been cleared from the site.

The sheriff has completed all necessary evictions of protesters from camps along the route.

Six tenders have been received for the main works contract and we expect to award the contract in the near future. Work will start towards the middle of the year with the aim of opening the bypass in the summer of 1998.

Crossrail

Mr. Marlow: To ask the Secretary of State for Transport if he will publish the findings of the Montagu report on alternative funding of Crossrail before his further intentions for the future of the project are announced. [24280]

Mr. Norris: I have today placed the report in the Library, with the associated consultants' report on small-scale alternatives to Crossrail. I refer my hon. Friend to the answer I gave yesterday to the hon. Member for Edmonton (Dr. Twinn) on the next steps.

Crash Tests

Mr. Chidgey: To ask the Secretary of State for Transport, pursuant to his answer to the hon. Member for Nottingham, North (Mr. Allen) on 22 March, *Official Report*, column *388*, (1) what representations he has received from *(a)* consumer groups and *(b)* car manufacturers and their representatives about how best to present the test results; [24451]

(2) if a test can be repeated at the request of the manufacturer; [24453]

(3) if he will introduce legislation to require manufacturers to make the test results available to the public; [24455]

(4) if he will make it his policy to make the test results available to the public; [24456]

(5) if he will list the supermini cars currently involved in the testing programme; [24450]

(6) what consultations he has undertaken with *(a)* consumer groups and *(b)* car manufacturers and their representatives about how best to present the test results; [24452]

(7) what arrangements exist for car manufacturers to view the data before they are published. [24454]

Mr. Norris: I have not received representations from, nor consulted, industry or consumer groups on how best to present the test results, although I have had some representations from industry that any procedure should be fair.

There have been discussions with vehicle manufacturers at official level on the test procedure. Manufacturers of car models tested are invited to witness the tests and are shown the results. If there are doubts over the validity of a test, a repeat test might be arranged.

The car models in the current test programme are: Fiat Punto, Ford Fiesta, Nissan Micra, Renault Clio, Rover 100, Vauxhall Corsa and Volkswagen Polo. Their comparative performance will be identified in the report if the research findings show such comparisons to be meaningful and fair. It is the Department of Transport's responsibility to make the research results available to the public.

Waste Minimisation

Ms Ruddock: To ask the Secretary of State for Transport if he will make a statement on progress in establishing an office waste minimisation strategy for his Department, indicating the targets set. [24498]

Mr. Norris: The Department's property managers are to prepare local action plans and targets to minimise waste.

Computers

Mr. David Atkinson: To ask the Secretary of State for Transport if he will make a statement on the problem of non-recognition by computers of the year 2000 with regard to his Department's computers and those for which it is responsible. [24399]

Mr. Norris: The Department of Transport is participating in the Central Computer and Telecommunications Agency initiative to address the issue and implications of the year 2000 for computers in the public sector.

European Driving Licence

Mr. Marlow: To ask the Secretary of State for Transport at what stage it was agreed that the European driving licence should include 12 gold stars; if it was agreed by majority voting; what was the United Kingdom's position; if the United Kingdom Government may incorporate a Union Jack in the United Kingdom format; and what provision there is for drivers who wish to maintain a licence not incorporating gold stars. [24281]

Mr. Norris: I assume that my hon. Friend is referring to the proposed photocard licence, which will have the letters UK surrounded by the European logo of 12 stars. A common position on the draft directive providing for the photocard was adopted at the Transport Council on 7 to 8 December 1995, with United Kingdom support. The European logo makes licences easily recognisable throughout the EU and will be of assistance to the many drivers who drive abroad. There is no provision for driving licences to be issued in different formats, but we have no plans to call in current licences. There is scope for national symbols to be inserted on the photocard.

ENVIRONMENT

Cement Kiln Dust

Mr. Bennett: To ask the Secretary of State for the Environment how much cement kiln dust from the Clitheroe cement works went to agricultural or related uses in 1993 and in each subsequent year; and what were the particular agricultural or related uses to which the dust was put. [23536]

Mr. Clappison: No kiln dust from the Clitheroe cement works went to agricultural or related uses during the period from 1993 to date.

Fly-tipping

Ms Estelle Morris: To ask the Secretary of State for the Environment if he will make the enforcement of sections 33 and 34 of the Environmental Protection Act 1990 a matter for local authorities with particular reference to control of fly-tipping. [24178]

Mr. Clappison: No authority is precluded from taking enforcement action under sections 33 or 34 of the Environmental Protection Act 1990 where it has sufficient evidence to do so. However, the Environment Agency is a competent authority for the purposes of the amended EC framework directive on waste; the authority responsible for issuing waste management licences under section 35 of the 1990 Act; and the authority with which exemptions from licensing are registered. In the Department's view, therefore, the Environment Agency is the appropriate authority to take enforcement action where necessary under section 33 of the 1990 Act.

No authority has a specific duty to enforce the duty of care under section 34 of the 1990 Act. However, the effect of regulation 4 of the Environmental Protection (Duty of Care) Regulations 1991 is to require a person on whom the Environment Agency serves a notice to provide a copy of the written description of the waste and of the transfer note which those involved in the transfer of waste are required by regulation 3 to keep. The Department has no plans to amend regulation 4 of the 1991 regulations.

European Regional Development Fund

Ms Estelle Morris: To ask the Secretary of State for the Environment if he has established the cause of the delay experienced by applicants for European regional development fund grants in the west midlands; and what measures he will take to promote greater efficiency in the handling of applications for the 1997–99 programmes. [24179]

Sir Paul Beresford: In the west midlands objective 2 programme, a competitive entry of over 800 initial applications lead to a lengthy short-listing process. The requirement to secure additional information on the 240 full applications subsequently received then resulted in the process overall taking longer than anticipated.

Greater efficiency in the handling of applications in the 1997–99 programme will be achieved by more rigorous selection of only high-quality projects at the initial stage for subsequent detailed appraisal.

EDS Ltd.

Mr. Redmond: To ask the Secretary of State for the Environment what savings to date have been made by his Department as a result of out-sourcing arrangements made with the EDS computer system; what assessment he has made of the equivalent costs for carrying out this work in-house; and if he will make a statement. [24226]

Sir Paul Beresford: My Department currently has no out-sourcing arrangements with the EDS computer system.

Green Belt Land (Waste Tipping)

Mr. Chris Davies: To ask the Secretary of State for the Environment (1) what powers he has to intervene in respect of local authority decisions not to refer to him decisions to tip large quantities of spoil on green belt land; [24249]

(2) what are the limits placed upon *(a)* the volume of waste which may be tipped on green belt land and *(b)* the period of time during which this may occur, if the ultimate use of the land is said to be for an appropriate use; and if he will make a statement. [24250]

(3) in what circumstances a local planning authority may authorise the tipping of waste on green belt land without the approval of the Secretary of State. [24252]

Sir Paul Beresford: Local authorities are required to determine on their individual merits planning applications for the tipping of waste on green belt land, its proposed after-use and the time scale involved by taking into account the provisions of the development plan and all other material considerations, including Government planning advice such as, in this case, planning policy guidance note 2: "Green Belts". The disposal of waste also requires a waste management licence from the Environment Agency.

Local authorities are required to notify the Secretary of State of any planning application which they do not intend to refuse and which will significantly prejudice the implementation of the development plan so that he can consider whether or not to call it in for his own determination. In addition, the Secretary of State has power to call in other applications, but in all instances he will do this only if in his view they give rise to planning issues of wider than local importance and then only if these issues warrant a decision by him rather than by the local authority.

Mr. Davies: To ask the Secretary of State for the Environment what is his policy with regard to the tipping of waste on green belt land. [24251]

Sir Paul Beresford: The tipping of waste on green belt land is inappropriate development unless it maintains openness and does not conflict with the purposes of including land in the green belt. Further advice is given in paragraphs 1.5 and 3.12 of planning policy guidance note 2, "Green Belts".

Metal Recyclers

Mr. Gill: To ask the Secretary of State for the Environment if he has undertaken *(a)* a cost compliance assessment and *(b)* a small business litmus test of the proposals outlined in waste management planning as they apply to metal recyclers. [24462]

Mr. Clappison: My Department prepares compliance cost assessments in accordance with general Government guidelines, and they include a small business litmus test. The guidelines require a compliance cost assessment to be prepared for proposed legislation or when preparing statistical surveys which will involve business. "Waste management planning—principles and practice" sets out the way in which waste regulation authorities—now the Environment Agency—should collect information on wastes and waste management facilities and use it to promote integrated waste strategies, leading to more sustainable waste management. It gives non-statutory guidance on the way surveys should be carried out, but

does not constitute the preparation of a survey. Accordingly, no compliance cost assessment was deemed to be necessary for this document.

Local Government Finance

Mr. Luff: To ask the Secretary of State for the Environment if he will announce his capping principles for 1996–97 and the list of authorities which he intends to designate. [24785]

Mr. Gummer: My capping principles for 1996–97 are as follows:

(i) *Unitary authorities and county councils* will be able to increase their budget requirement by 3 per cent. or the increase in their education, personal social services and fire standard spending assessments, whichever is the greater.

(ii) *Metropolitan districts outer London boroughs and fire and civil defence authorities*, including London, will be able to increase their budget requirement by 2 per cent. or the increase in their education, PSS and/or fire SSAs, as appropriate, whichever is the greater.

(iii) *Inner London boroughs* will be able to increase their budget requirement by 1.5 per cent. or the increase in their education, PSS and fire SSAs, whichever is the greater.

(iv) *Shire districts* will be able to increase their budget requirement by 0.5 per cent.

(v) *Police authorities* will be able to increase their budget requirement by 3.5 per cent. or the increase in their police SSA, whichever is the greater.

Authorities budgeting more than 12.5 per cent. above SSA are subject to a cash freeze.

There is a general proviso that no authority is to be designated if its budget requirement is £10,000 or less above the limit implied by these principles.

In accordance with sections 54 and 56 of the Local Government Finance Act 1992, I have decided to designate the following authorities. The amount given after each authority is the amount which I am proposing should be the maximum amount calculated by each authority as its budget requirement for 1996–97.

	£ Million
Cambridgeshire County Council	402.590
Oxfordshire County Council	332.024
Essex County Council	974.218
Merseyside Fire and Civil Defence Authority	52.780
Greater Manchester Fire and Civil Defence Authority	76.958
Tyne and Wear Fire and Civil Defence Authority	37.444

Authorities which have been designated for council tax capping now have 28 days, starting today, in which to inform us whether or not they accept their proposed cap. Essex county council, Tyne and Wear fire and civil defence authority, Greater Manchester fire and civil defence authority and Merseyside fire and civil defence authority have been designated at the budgets they originally set and therefore do not have to reduce their budgets nor incur rebilling costs.

Oxfordshire and Cambridgeshire have been designated at a lower level than they proposed. If they accept, the cap is confirmed by notice and the authorities can set a revised lower budget and lower council tax bills forthwith. If they challenge, they must propose an alternative amount together with their reasons for doing so. At this stage, authorities have the opportunity to meet us to explain their case. Once we have considered all the available information, we shall propose final caps which will be included in an order, a draft of which is debated by the House of Commons. If the draft order is approved, final caps are set by notice and revised budgets and council tax levels must then be set by the authorities concerned.

Computers

Mr. David Atkinson: To ask the Secretary of State for the Environment if he will make a statement on the problem of non-recognition by computers of the year 2000 with regard to his Department's computers and those for which it is responsible. [24409]

Sir Paul Beresford: We understand, on advice from the Central Computer and Telecommunications Agency, that this problem is largely confined to old computer systems. The Department's computer systems are primarily based on more modern technology and any older systems which remain are expected to be replaced before 2000.

Director General of Water Services

Mr. Hargreaves: To ask the Secretary of State for the Environment what decision he has taken on the appointment of the Director General of Water Services from 30 June 1996. [25123]

Mr. Gummer: The Secretary of State for Wales and I have decided to reappoint Mr. Byatt until 31 July 2000. This will enable him to carry out and complete the implementation of the outcome of a further periodic review of water charge limits to apply from 1 April 2000.

Single Regeneration Budget

Mr. Bellingham: To ask the Secretary of State for the Environment when he will publish the indicative allocations to Government offices for the regions in respect of round 3 of the single regeneration budget challenge fund. [25124]

Mr. Curry: The indicative regional allocations for the first two years of round 3 of the challenge fund are shown, expressed in terms of bands.

These figures relate to the current total provision for round 3 of £200 million for 1997–98 and 1998–99, with £50 million of this available in 1997–98. The funding available to each region for new schemes also reflects commitments arising from earlier bidding rounds. The sums available to support approved round 3 schemes in later years are subject to annual public expenditure decisions. The final allocations will depend upon Ministers' decisions on the bids submitted for support in response to the bidding guidance, copies of which are in the Library of the House. Final bids are due to be submitted by 23 September 1996.

	£ million
London	64–70
South East	13–16
Eastern	2–5
South West	6–8
East Midlands	5–8
West Midlands	9–12
Merseyside	7–10

	£ million
North West	24–28
Yorks and Humberside	20–24
North East	30–34

Compulsory Competitive Tendering

Mr. Bellingham: To ask the Secretary of State for the Environment what exemptions from the requirements of compulsory competitive tendering will be granted to local authorities affected by structure and boundary changes which have been announced but not yet confirmed by orders following the district structure reviews. [25125]

Sir Paul Beresford: We intend that the exemptions already granted to authorities affected by structure and boundary changes which have been announced but not yet confirmed by orders following the county structure review will be extended to those similarly affected by the outcome of the district reviews. This means that, for existing blue collar services, the requirements of CCT will be suspended from the date of the order until 18 months after the reorganisation date—or up to 24 months in the case of housing management.

So far as white collar CCT services are concerned, an implementation timetable is already specified for authorities being reorganised, but no timetable is laid down for authorities that might be reorganised from 1 April 1998. Local authorities reorganised from 1 April 1998 will be allowed the same periods for implementation of white collar CCT as those already laid down for authorities being reorganised from earlier specified dates.

Sulphur Protocol

Mr. Bellingham: To ask the Secretary of State for the Environment when he plans to publish proposals for ensuring that the United Kingdom meets its commitments under the second UN Economic Commission for Europe sulphur protocol. [25126]

Mr. Clappison: Under the terms of the second UNECE sulphur protocol, the United Kingdom is committed, among other things, to reducing national emissions of sulphur dioxide by 80 per cent. by 2010 compared with 1980 levels. We are developing a national strategy for meeting these commitments. The strategy will go beyond the existing national plan, which gives effect in the United Kingdom to the requirements of the EC large combustion plant directive in looking at all sources of emissions.

In developing the strategy, we are now reviewing the operation of the national plan to see whether it will still be appropriate in its current form, in the context of the strategy and in the light of the substantial reductions which have been achieved, and those which are now forecast, in the level of emissions from large combustion plant.

We hope to publish a consultation document on our proposals shortly.

Correspondence

Mr. Soley: To ask the Secretary of State for the Environment when he expects to reply to the letter from the hon. Member for Hammersmith to the Under-Secretary of State, the hon. Member for Hertsmere (Mr. Clappison), of 8 December 1995 concerning same-sex relationships and housing policy. [20491]

Mr. Clappison *[holding answer 12 March 1996]:* I wrote to the hon. Member for Hammersmith today.

Abattoir Waste

Mr. Hinchliffe: To ask the Secretary of State for the Environment what is his estimate of abattoir waste volume which enters United Kingdom sewerage systems annually; and if he will make a statement on the adequacy of water treatment works when dealing with potential bovine spongiform encephalopathy contaminated material. [23221]

Mr. Clappison *[holding answer 1 April 1996]:* Information for England and Wales provided by the sewerage undertakers shows that there are approximately 200 abattoirs with trade effluent consents. The annual volume of abattoir effluent entering the sewerage system is unavailable. Information relating to Scotland and Northern Ireland is a matter for my right hon. Friend the Secretary of State for Scotland and my right hon. and learned Friend the Secretary of State for Northern Ireland.

The adequacy of standard forms of sewage treatment on potential BSE-contaminated material is unknown. All animals exhibiting clinical symptoms of BSE are killed and incinerated. The specified bovine offals, which include all the tissues known to harbour BSE infectivity, are removed from cattle at slaughter and destroyed. As a result, it is unlikely that any BSE-contaminated material could enter the sewerage system.

Yorkshire Water

Mr. Sutcliffe: To ask the Secretary of State for the Environment if he will place in the Library the inventory of Yorkshire Water reservoirs, treatment works and other water storage assets operational at the point of privatisation. [24204]

Mr. Clappison *[holding answer 2 April 1996]:* This information is contained in pages 562 to 570 of the "Prospectus for the Water Share Offers", which was issued in November 1989. A copy is in the Library.

ATTORNEY-GENERAL

R *v.* Burt and Adams Ltd.

Sir Ivan Lawrence: To ask the Attorney-General what has been the expense to public funds of the case of R *v.* Burt and Adams Ltd. on the trading-up of non-monetary prizes from amusement machines; and what is the expected cost of the proposed appeal to the House of Lords if that appeal should fail. [23291]

The Attorney-General: The judicial and court costs for the Crown Court and the Court of Appeal totalled approximately £2,593. The prosecution costs in those proceedings were £12,707.29. This does not include those costs attributable to Crown Prosecution Service staff who worked on the case as part of their ordinary duties. It is not possible to give an estimate of the overall costs of the appeal to the House of Lords.

Executive Agencies

Lady Olga Maitland: To ask the Attorney-General what further progress he has made towards establishing executive agencies in his Department under the Government's next steps initiative; and if he will make a statement. [25162]

The Attorney-General: On 15 March 1995, I informed the House, *Official Report* columns *580–81*, that the Treasury Solicitor's Department had been selected as a candidate for executive agency status. I am pleased to announce that I established the Treasury Solicitor's Department as an executive agency on 1 April. The chief executive will have clear responsibilities for improvements in efficiency, effectiveness and quality of service. These responsibilities are to be set out in the agency's framework document, which will be published and copies placed in the Library. Targets are set out in the agency's corporate and business plans. An annual report and accounts will be produced and copies also put in the Library.

The agency has 390 staff based in London. It will continue to provide legal services to Government Departments and other publicly funded bodies, but on a more commercial basis. It will continue to compete, where appropriate, with private firms of solicitors. The establishment of the Treasury Solicitor's Department as an executive agency will provide the appropriate structure and discipline to enhance its ability to supply a more efficient, economic and effective delivery of legal services to its clients. I have appointed Mr. Michael Saunders, the present Treasury Solicitor, to be the agency's first chief executive.

The key performance targets are as follows: to achieve efficiency savings of $2\frac{1}{2}$ per cent. per annum; to recover the full operating cost for chargeable services of the agency; to achieve 90 per cent. customer satisfaction in advisory services; to achieve $2\frac{1}{2}$ per cent. reductions in the average unit cost per chargeable hour or per case as appropriate.

I wish the chief executive and his staff every success for the future.

WALES

Regional or Minority Languages

Sir Wyn Roberts: To ask the Secretary of State for Wales what plans the Government have to sign the Council for Europe charter on regional or minority languages. [25128]

Mr. Hague: The Government have given thorough consideration to the merits of signing this charter. We believe that, in the United Kingdom's case, the Government are better placed to assess the needs of, and determine the level of support for, indigenous minority languages. For this reason, we have decided not to sign.

Purchase Grant Scheme

Sir Wyn Roberts: To ask the Secretary of State for Wales when he plans to consult on his proposals to exempt rural communities from the purchase grant scheme; and if he will make a statement. [25129]

Mr. Gwilym Jones: We have today issued a consultation paper asking for comments from local authorities, housing associations and other interested parties on our proposals for exempting rural communities from the new purchase grant scheme.

As is made clear in the recent White Paper, "A Working Countryside for Wales", we recognise the particular difficulty in building or finding replacement properties for rent in rural areas, and the planned statutory scheme for future publicly funded developments will not therefore apply to rural communities across Wales which have a population density of less than 150 persons per sq km. This will help ensure the availability of affordable housing for rent in rural Wales where this issue is of special concern.

The Housing Bill currently before Parliament would give my right hon. Friend the power to designate by order rural areas where the new right would not arise. In the case of the voluntary scheme, the statutory list of exempted areas will be available for associations to use.

The consultation paper sets out the way we propose to implement this designation and invites comments on the methodology and on the list of areas we plan to exempt. Copies have been deposited in the Library of the House.

Mudiad Ysgolion Meithrin 1996

Mr. Llwyd: To ask the Secretary of State for Wales how much funding will be allocated to Mudiad Ysgolion Meithrin 1996 by his Department; and if he will make a statement. [23179]

Mr. Richards: For 1996–97, the Welsh Office has allocated total funding of £689,872 to Mudiad Ysgolion Meithrin comprising £537,000 under section 26 of the Development of Rural Wales Act 1976 and £152,872 under the support for child and family services grant scheme.

Schools (Examination Statistics)

Mr. Sweeney: To ask the Secretary of State for Wales if he will list by rank order the A-level examination results for each Welsh education authority and show beside each result, together with the education authority's rank order for each statistic, *(a)* the GCSE result, *(b)* the average number of pupils in each primary class in that authority, *(c)* the average number of pupils in each secondary class in that authority, *(d)* the cost per primary pupil place, *(e)* the cost per secondary pupil place, *(f)* the primary school pupil-teacher ratio and *(g)* the secondary school pupil-teacher ratio. [23665]

Mr. Richards: The information requested is contained in the following table.

Within the table the columns numbered 1,2,3,4,7 and 8 are in respect of local education authority maintained and grant-maintained schools, while columns 5 and 6 are in respect of LEA maintained schools only.

	1	*2*		*3*		*4*	
	Average A/AS level point score for 16 to 18-year-old candidates entered for 2 or more A levels or AS equivalent in 1995[1]	*Percentage of 15-year-olds achieving 5 or more GCSEs grades A to C in 1995*		*Average primary school class size at January 1995*		*Average secondary school class size at January 1995*[2]	
Maintained Schools in:		*Percentage*	*Rank*		*Rank*		*Rank*
Dyfed	16	47	2	22.6	7	19.5	6
Powys	16	50	1	22.4	8	17.0	8
South Glamorgan	16	41	5	27.1	2	22.0	1
West Glamorgan	16	38	6	25.9	5	20.5	3
Clwyd	15	42	3	26.6	4	21.0	2
Gwent	15	37	7	27.8	1	20.5	3
Gwynedd	15	42	3	22.8	6	19.0	7
Mid Glamorgan	13	33	8	27.1	2	19.6	5

Figures are ranked from highest to lowest.

[1] The A/AS level score is calculated for each pupil who was entered for A/AS level examinations on the basis of scores as follows:

A level: A = 10 points, B = 8, C = 6, D = 4, E = 2.

AS levels: A = 5 points, B = 4, C = 3, D = 2, E = 1.

[2] Data are for a specific period in the school timetable on the census enumeration date.

Maintained schools in:	5 Net funding per pupil in LEA maintained nursery & primary schools at cash prices, 1993–94 £	Rank	6 Net funding per pupil in LEA maintained secondary schools at cash prices, 1993–94 £	Rank	7 Primary school pupil teacher ratio at January 1995	Rank	8 Secondary school pupil teacher ratio at January 1995	Rank
Dyfed	1,865	1	2,206	6	19.9	8	16.3	4
Powys	1,683	3	2,254	3	20.5	7	14.6	8
South Glamorgan	1,455	7	2,116	8	22.2	4	16.6	2
West Glamorgan	1,644	4	2,383	2	21.2	6	15.9	5
Clwyd	1,428	8	2,133	7	24.9	1	17.0	1
Gwent	1,532	6	2,214	5	23.8	2	16.4	3
Gwynedd	1,696	2	2,410	1	21.2	5	15.0	7
Mid Glamorgan	1,539	5	2,228	4	23.6	3	15.8	6

Figures are ranked from highest to lowest.

House Building

Mr. Barry Jones: To ask the Secretary of State for Wales (1) how many council houses were built in *(a)* 1976, *(b)* 1986, *(c)* 1989, *(d)* 1994 and *(e)* 1995 in each local authority area; and if he will make a statement; [23752]

(2) how many houses were built by housing associations in each local authority area in *(a)* 1976, *(b)* 1986, *(c)* 1989, *(d)* 1994 and *(e)* 1995; and if he will make a statement. [23753]

Mr. Gwilym Jones: The information requested is given in the following table:

New dwellings completed[1]

	1976		1986		1989		1994		1995	
	Local authority	Housing association[2]	Local authority	Housing association	Local authority	Housing association	Local authority	Housing association	Local authority	Housing association
Aberconwy	30	—	—	—	—	24	20	72	—	87
Alyn and Deeside	115	—	33	19	29	26	16	23	—	107
Arfon	111	—	—	9	31	40	—	79	—	29
Blaenau Gwent	269	—	—	38	39	64	—	3	26	71
Brecknock	289	—	—	—	12	65	—	71	—	54
Cardiff	471	—	—	38	—	462	—	385	1	356
Carmarthen	228	—	18	—	4	2	—	24	—	23
Ceredigion	161	—	41	17	3	83	—	12	—	32
Colwyn	22	—	18	—	—	34	—	36	—	52
Cynon Valley	165	—	—	40	—	67	—	36	—	50
Delyn	177	—	—	16	—	12	—	46	—	49
Dinefwr	30	—	34	—	—	22	—	7	—	16
Dwyfor	—	—	4	—	—	8	—	17	—	4
Glyndwr	67	—	—	8	42	7	—	25	—	—
Islwyn	102	—	40	—	28	—	—	—	—	9
Llanelli	238	—	40	—	81	4	45	6	78	27
Iliw Valley	122	—	34	14	6	14	—	71	29	27
Meirionnydd	103	—	—	—	12	—	—	32	—	51
Merthyr Tydfil	187	—	—	—	20	26	—	51	—	51
Monmouth	108	—	74	—	16	121	—	39	—	89
Montgomeryshire	110	—	26	19	15	79	—	203	—	56
Neath	119	—	26	10	4	—	—	60	—	69
Newport	462	—	119	74	105	65	108	10	4	49
Ogwr	504	—	40	—	—	—	—	234	—	55
Port Talbot	—	—	—	39	—	40	—	72	—	11
Preseli Pembrokeshire	110	—	9	29	20	29	12	72	—	73
Radnorshire	146	—	2	37	—	4	6	38	—	50
Rhondda	74	—	—	12	—	73	—	79	—	40
Rhuddlan	17	—	44	—	24	16	—	108	16	30
Rhymney Valley	267	—	15	27	24	80	—	38	—	69
South Pembrokeshire	95	—	—	—	—	—	—	95	6	39
Swansea	530	—	—	33	9	112	20	369	6	356
Taff-Ely	136	—	12	20	24	16	—	82	—	67
Torfaen	307	—	34	7	—	—	—	105	10	79
Vale of Glamorgan	670	—	36	—	6	21	—	41	—	—
Wrexham Maelor	242	—	11	28	12	24	—	200	—	17
Ynys Mon	80	—	34	—	—	23	—	—	—	14

Notes:

[1] This information is based on local authority returns which may underestimate the level of building activity.

[2] Data for 1976 were collected jointly with other public sector completions. The total for all categories was 285.

Source:

Local authority returns.

School Buildings

Mr. Barry Jones: To ask the Secretary of State for Wales what guidance he has given to the unitary authorities concerning sub-standard school buildings. [23533]

Mr. Richards: The condition of school buildings is the responsibility of local education authorities.

Health Services in Rural Areas

Mr. Llwyd: To ask the Secretary of State for Wales what measures he is taking to extend the provision of health services closer to patients in rural areas; and if he will make a statement. [23525]

Mr. Richards: One of the commitments made in "Caring for the Future"—the NHS Wales plan for improving quality—is to increase safe and effective care closer to people's homes. I would expect health authorities, GP fundholders and NHS trusts to take this into account when determining what health services are provided to patients in rural areas.

Mr. Llwyd: To ask the Secretary of State for Wales in what circumstances doctors are permitted to dispense prescriptions to patients living in rural areas; and if he will make a statement. [23524]

Mr. Richards: Doctors may be permitted to dispense drugs and appliances to patients who satisfy their health authority that they reside in a controlled locality more than one mile from the nearest pharmacy, or would for other reasons have serious difficulty in reaching a pharmacy.

Assisted Places Scheme

Mr. Barry Jones: To ask the Secretary of State for Wales how many assisted school places there are currently; and what sums were received by each school in the scheme in the latest school year. [23534]

Mr. Richards: There are some 720 assisted school places in Wales. The total amount of central Government funds received by each of the schools in the scheme for the academic year 1994–95 is as follows:

Academic year 1994–95

Schools	*Total received by schools* £
Christ College, Brecon	411,648
Howell's Cardiff	441,926
Howell's Denbigh	369,460
Llandovery College	280,530
Monmouth Boys	475,037
Monmouth Girls	199,541
Rydal Penrhos (Girls division)	316,277
Rydal Penrhos (Co-education division)	305,270

Council House Sales

Mr. Barry Jones: To ask the Secretary of State for Wales if he will publish the amounts *(a)* realised and *(b)* held by each local authority from council house sales receipts since council house sales were introduced; and if he will make a statement. [23751]

Mr. Gwilym Jones: The available information is given the following table:

Receipts from the sale of council houses[1]

£ million

	Receipts from the sale of council houses 1 April 1981 to 31 March 1995	*Usable receipts from the sale of council houses available at 31 March 1995*	*Total outstanding loan debt*
Districts:			
Alyn and Deeside	18.4	0.5	35.1
Colwyn	8.9	0.6	27.8
Delyn	15.7	0.0	32.3
Glyndwr	13.1	0.5	12.0
Rhuddlan	9.5	0.4	27.7
Wrexham Maelor	42.0	1.0	74.6
Carmarthen	16.4	0.8	35.8
Ceredigion	20.7	1.2	21.6
Dinefwr	9.7	0.6	28.1
Llanelli	28.3	0.0	47.7
Preseli Pembrokeshire	27.0	2.6	41.8
South Pembrokeshire	12.6	1.2	21.1
Blaenau Gwent	26.5	2.2	103.9
Islwyn	36.9	0.4	50.8
Monmouth	31.9	3.6	45.8
Newport	53.5	7.6	122.0
Torfaen	58.4	2.7	83.1
Aberconwy	16.3	0.2	20.3
Arfon	16.5	0.0	29.7
Dwyfor	3.9	0.3	15.9
Meirionnydd	7.6	0.0	10.6
Ynys Mon	17.5	0.2	53.7
Cynon Valley	13.6	0.0	52.9
Merthyr Tydfil	20.2	0.3	64.2
Ogwr	50.3	0.6	74.9
Rhondda	5.7	0.0	87.3
Rhymney Valley	35.5	0.0	71.7
Taff Ely	36.4	0.5	42.0
Brecknock	15.9	1.2	31.6
Montgomeryshire	13.6	0.7	23.2
Radnorshire	8.0	0.4	13.2
Cardiff	101.0	7.1	184.0
Vale of Glamorgan	38.7	6.7	60.0
Port Talbot	33.4	0.0	40.2
Lliw Valley	18.2	0.0	39.7
Neath	21.7	0.0	40.0
Swansea	47.9	0.2	135.6
Total	951.2	44.4	1,902.0

[1] Includes receipts from the sale of dwellings and the repayment of principal from local authority mortgages.

Fishing

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales if he will increase the resources of the Welsh Agriculture Department for the provision of a mechanism to meet the needs of fishing; and if he will make a statement. [23797]

Mr. Richards: I am satisfied that the resources of the Welsh Office Agriculture Department are sufficient to meet the needs of fishing in Wales.

Sea Fisheries Committee

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales if he will establish an all-Wales sea fisheries committee; and if he will make a statement. [23798]

Mr. Richards: Sea Fisheries Committees are set up under the Sea Fisheries Regulation Act 1966 at the request of their constituent local authorities. This is therefore a matter for the local authorities or the SFCs themselves.

Sea Empress Oil Spill

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales what are the criteria for lifting the ban imposed on fishing in the designated area affected by the Sea Empress oil spill. [23799]

Mr. Richards: The safety of consumers is paramount and the current restrictions will be lifted only when health and fisheries scientists advise that fish from the area are once again safe to eat.

There are no statutory limits on the amount of oil in fish or shellfish which is deemed safe and I am advised that it is not possible to set limits for all the possible constituents of oil. Therefore, in deciding when and where sections of the fishing industry will be allowed to operate again in the restricted area, our considerations will be on the basis of data on normal background concentrations for areas subsequently affected by the spill and such data from elsewhere around the UK. That is, we will consider whether levels are significantly higher than normal background levels.

Fish and shellfish from elsewhere around the coast of Wales and the UK remain safe to eat.

Forestry

Mr. Llwyd: To ask the Secretary of State for Wales what estimate he has made of the number of trees planted by the forestry industry within each of the last five years; and if he will make a statement. [23822]

Mr. Gwilym Jones: The number of trees planted each year in Wales has increased from about 6.5 million to about 7 million over the last five years.

Cardiff University Hospital

Mr. Redmond: To ask the Secretary of State for Wales if he will make a statement on the recent release by Cardiff University hospital from its mortuary of one body in mistake for another. [24488]

Mr. Richards: The circumstances leading to this regrettable incident are being investigated by the University Hospital of Wales NHS trust and the coroner's office. The trust will examine whether proper procedures were adhered to and implement any necessary improvements to current systems.

Welsh Office officials will be kept informed to determine whether lessons learnt should be disseminated more widely.

Assaults on Teachers

Mr. Llwyd: To ask the Secretary of State for Wales how many cases of pupils assaulting teachers were reported in Wales in *(a)* 1975, *(b)* 1985 and *(c)* 1995; and if he will make a statement. [24603]

Mr. Richards: This information is not available centrally.

Waste Minimisation

Ms Ruddock: To ask the Secretary of State for Wales if he will make a statement on progress in establishing an office waste minimisation strategy for his Office, indicating the targets set. [24502]

Mr. Gwilym Jones: Waste reduction is already an important feature of the Department's strategy for improving green standards internally and a range of targets are in place for reducing the amount of office waste the Welsh Office sends to landfill. These are the recycling of 37 tonnes of waste paper, 16,000 cans and 600 printer toner cartridges each year.

The Welsh Office will also review its current practices, particularly in the light of a recent pilot study of waste management carried out by the Department of the Environment, to see if existing performance can be further improved upon.

Computers

Mr. David Atkinson: To ask the Secretary of State for Wales if he will make a statement on the problem of non-recognition by computers of the year 2000 with regard to his Department's computers and those for which it is responsible. [24397]

Mr. Hague: I do not expect there to be any difficulties in ensuring that my Department's computer systems can cater for the year 2000.

Rail Freight Terminal, South Wales

Sir Wyn Roberts: To ask the Secretary of State for Wales when he expects to receive recommendations from the Welsh Development Agency relating to the location of a rail freight terminal in south Wales. [25130]

Mr. Hague: I have today agreed with the Welsh development agency that it should enter into further discussions with the promoters of the proposal for a rail freight terminal at Wentloog near Cardiff.

The WDA board sought my agreement after its meeting on Friday at which it considered a consultant's report on the two proposals then before it. The board has concluded that the Wentloog site offers the better prospect but that further discussions with the promoters are necessary to determine whether, and if so to what extent, it might wish to offer assistance. It will also be looking for substantial and firmly committed private sector funding.

Public Bodies

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to paragraph 1.29 of his departmental report for 1996, what were the outturn figures for 1992–93, 1993–94 and 1994–95; and what were the outturn figures for expenditure on publicity by executive non-departmental public bodies in each of the past five years. [23560]

Mr. Gwilym Jones *[holding answer 1 April 1996]:* Paragraph 1.29 of the Welsh Office departmental report for 1996 provides details of forecast outturn expenditure for 1995–96 on publicity by the Department and forecast spend by non-departmental public bodies in 1996–97.

Publicity expenditure by the Welsh Office for the years 1992–93 to 1994–95 is as follows:

1992–93: £1,974,000

1993–94: £1,358,000

1994–95: £1,725,000

Publicity expenditure by public bodies is as follows:

1994–95: £17,197,000 outturn

1995–96: £17,662,000 forecast outturn

Figures for the two years include for a number of public bodies, their total marketing budget and reflect for others all expenditure on publications; exhibitions and soon in pursuance of their statutory functions. Information is provided for 1994–95 and 1995–96 only; comparable figures for earlier years are not available.

Abortion Facilities, North Wales

Dr. Marek: To ask the Secretary of State for Wales if he will give the reasons for the withdrawal of local termination of pregnancy facilities within the NHS in north Wales. [23561]

Mr. Richards *[holding answer 2 April 1996]:* The responsibility for the commissioning of abortion services in north Wales rests with the North Wales health authority. It is for individual health authorities to assess the health care needs of their local population and to decide priorities within their overall resources.

General Medical Practitioners

Mr. Bayley: To ask the Secretary of State for Wales what was the whole-time equivalent number of NHS general medical practitioners working in each family health service association area in Wales at the latest date for which figures are available. [24384]

Mr. Richards *[holding answer 2 April 1996]:* The information, which relates to 1 April 1995, is given in the following table.

	Whole-time equivalent number of general medical practitioners[1]
Clwyd	221
Dyfed	212
Gwent	233
Gwynedd	156
Mid Glamorgan	294
Powys	81
South Glamorgan	230
West Glamorgan	202

[1] Unrestricted principals.

PRIME MINISTER

EDS Ltd.

Mr. Redmond: To ask the Prime Minister what savings to date have been made by the Cabinet Office as a result of out-sourcing arrangements made with the EDS computer system; what assessment he has made of the equivalent costs for carrying out this work in-house; and if he will make a statement. [24237]

The Prime Minister: For these purposes, my office is part of the Cabinet Office. I refer the hon. Member to the reply given by my right hon. Friend the Parliamentary Secretary, Office of Public Service, on 2 April, *Official Report,* column *85.*

Danish Tour Guide (Manslaughter)

Mr. Cox: To ask the Prime Minister what letters of condolence have been sent by the British Government to the family of the Danish tour guide for whose manslaughter three British service personnel have been convicted; when they were sent; and which Government Minister sent them. [24564]

The Prime Minister: I understand that the then commanding officer, British Forces Cyprus, sent a letter of condolence to the family.

Conduct of Government Business

Mr. Simon Coombs: To ask the Prime Minister what advice has been furnished to Government Departments on the conduct of Government business during the period prior to local and European elections. [24545]

The Prime Minister: The Cabinet Office is circulating to Departments today the normal guidance to civil servants on the principles which they should observe in relation to the conduct of Government business during the period prior to local and European elections. It is as follows:

Local and European elections

1. Local and European Election campaigns differ from general elections in that there is no prospect of a change of government consequent upon the elections, and the business of government continues as usual. However, there is an increasing tendency by all political parties to approach local and European elections from a national point of view, with nationally produced material. Officials of all departments should therefore take especial care during the period of local or European election campaigns not to undertake any activity which could call into question their political impartiality, or could give rise to the criticism that public resources are being used for party political purposes. Particular care should be exercised in relation to the announcement of sensitive decisions with a local or European dimension, and in relation to paid publicity campaigns.

2. The following general principles should be observed:

(a) there should be even-handedness in meeting information requests from candidates from different political parties. Such requests and responses should be channelled through the appropriate Minister's private office and handled in accordance with the principles laid down in the Code of Practice on Access to Government Information;

(b) special advisers should if necessary be reminded of the rules against circulating material on party paper within departments;

(c) particular care should be taken over official action and the use of public resources, including publicity, surrounding and supporting Ministerial announcements which have a bearing on local or European matters;

(d) similar care should be taken over announcements of decisions made at official level. In some cases it may be better to defer an announcement until after the election but this would need to be balanced carefully against any implication that deferral could itself influence the political outcome; each case should be considered on its merits; and

(e) special care should be taken in respect of paid publicity campaigns, particularly new campaigns, which should not be open to the criticism that they are being undertaken for party political purposes.

3. The period of sensitivity preceding local or European elections is not fixed in relation to any particular date, but for the purposes of this guidance, the general convention is that particular care should be taken in the three weeks prior to polling day.

European Court of Justice

Sir Teddy Taylor: To ask the Prime Minister if he will raise at the next European Council the operation of the European Court of Justice. [22342]

The Prime Minister: The Turin Council of 29 March agreed an agenda for the intergovernmental conference including the operation of the European Court of Justice.

TREASURY

Beef Stocks

Mrs. Lait: To ask the Chancellor of the Exchequer how the Inland Revenue will treat, for tax purposes, stocks of beef held by butchers ready for sale whose value has been eroded by the collapse of the beef market. [23769]

Mr. Jack: The same rules on trading stock will apply to butchers as to other traders.

An accountant will draw up a traders' accounts using the normal accounting conventions. These conventions recognise trading stock losses and deal with them appropriately in the accounts. Tax treatment follows these conventions and allows for the profits and losses of trading stock when working out the taxable income. Butchers' stock losses will be treated in the same way as the stock losses of any other trader.

Earnings

Ms Rachel Squire: To ask the Chancellor of the Exchequer what is the percentage of workers on adult rates of pay in part-time employment whose hourly earnings *(a)* including and *(b)* excluding overtime pay are less than (i) £4.26 per hour, (ii) £5.68 per hour, (iii) £6.03 per hour and (iv) average weekly earnings in (x) Great Britain, (y) Scotland and (z) the regions of Scotland broken down by (1) male manual, (2) male non-manual, (3) all male workers, (4) female manual, (5) female non-manual, (6) all female workers, (7) all manual, (8) all non-manual and (9) all workers. [22058]

Mrs Angela Knight: Information is available from the April 1995 "New Earnings Survey". The information is in the tables.

NES—April 1995 (GB) Part-time employees on adult rates, whose pay for the survey period was unaffected by absence

	Including overtime percentage of employees earning			*Excluding overtime percentage of employees earnings*		
Gross hourly earnings	*£4.26*	*£5.03*	*£5.68*	*£4.26*	*£5.03*	*£5.68*
Great Britain						
Male manual	60.0	73.5	81.0	60.8	73.2	80.9
Male non-manual	32.4	45.0	50.8	32.8	44.6	50.5
All males	46.0	59.0	65.6	46.6	58.6	65.4
Female manual	71.4	84.4	90.4	72.2	84.6	90.4
Female non-manual	35.3	51.9	62.6	36.0	52.1	62.6
All females	47.5	62.9	71.9	48.2	63.1	71.9

NES—April 1995 (GB) Part-time employees on adult rates, whose pay for the survey period was unaffected by absence

	Including overtime percentage of employees earning			*Excluding overtime percentage of employees earnings*		
Gross hourly earnings	*£4.26*	*£5.03*	*£5.68*	*£4.26*	*£5.03*	*£5.68*
All manual	69.2	82.3	88.6	70.0	82.4	88.5
All non-manual	35.0	51.2	61.2	35.6	51.3	61.2
All workers	47.3	62.3	71.0	47.9	62.4	71.0
Scotland						
Male manual	61.9	75.6	81.9	62.5	72.5	83.1
Male non-manual	37.6	51.9	59.1	37.0	51.4	58.6
All males	49.0	63.0	69.8	49.0	61.3	70.1
Female manual	73.2	85.5	90.3	74.1	86.1	90.1
Female non-manual	35.3	50.5	622.4	36.1	50.5	62.4
All females	50.5	64.6	73.6	51.3	64.8	73.5
All manual	71.5	84.1	89.1	72.4	84.1	89.1
All non-manual	35.6	50.7	62.0	36.2	50.6	62.0
All workers	50.3	64.4	73.1	51.0	64.3	73.1
Borders						
Male manual	n/a	n/a	n/a	n/a	n/a	n/a
Male non-manual	n/a	n/a	n/a	n/a	n/a	n/a
All males	n/a	n/a	n/a	n/a	n/a	n/a
Female manual	58.3	83.3	83.3	58.3	83.3	83.3
Female non-manual	31.1	48.9	55.6	31.1	48.9	53.3
All females	40.6	60.9	65.2	40.6	60.9	63.8
All manual	61.5	84.6	84.6	61.5	84.6	84.6
All non-manual	30.4	47.8	54.3	30.4	47.8	52.2
All workers	41.7	61.1	65.3	41.7	61.1	63.9
Central						
Male manual	66.7	75.0	75.0	50.0	58.3	75.0
Male non-manual	n/a	n/a	n/a	n/a	n/a	n/a
All males	n/a	n/a	n/a	n/a	n/a	n/a
Female manual	77.1	87.5	97.9	83.3	89.6	97.9
Female non-manual	42.9	54.8	67.9	44.0	54.8	67.9
All females	55.3	66.7	78.8	58.3	67.4	78.8
All manual	76.4	87.3	96.4	81.8	87.3	96.4
All non-manual	43.8	55.1	67.4	42.7	53.9	67.4
All workers	56.3	67.4	78.5	57.6	66.7	78.5
Dumfries and Galloway						
Male manual	n/a	n/a	n/a	n/a	n/a	n/a
Male non-manual	n/a	n/a	n/a	n/a	n/a	n/a
All males	n/a	n/a	n/a	n/a	n/a	n/a
Female manual	82.4	94.1	94.1	76.5	94.1	94.1
Female non-manual	56.7	63.3	76.7	56.7	66.7	76.7
All females	66.0	74.5	83.0	63.8	76.6	83.0
All manual	76.2	95.2	95.2	76.2	95.2	95.2
All non-manual	54.8	61.3	74.2	54.8	64.5	74.2
All workers	63.5	75.0	82.7	63.5	76.9	82.7
Fife						
Male manual	n/a	n/a	n/a	n/a	n/a	n/a
Male non-manual	58.3	75.0	75.0	58.3	75.0	75.0
All males	60.0	70.0	70.0	60.0	70.0	70.0
Female manual	81.5	83.3	88.9	81.5	83.3	88.9

NES—April 1995 (GB) Part-time employees on adult rates, whose pay for the survey period was unaffected by absence

Gross hourly earnings	Including overtime percentage of employees earning			Excluding overtime percentage of employees earnings		
	£4.26	£5.03	£5.68	£4.26	£5.03	£5.68
Female non-manual	42.0	53.6	68.1	40.6	52.2	65.2
All females	59.3	66.7	77.2	58.5	65.9	75.6
All manual	79.0	80.6	85.5	79.0	80.6	85.5
All non-manual	44.4	56.8	69.1	43.2	55.6	66.7
All workers	59.4	67.1	76.2	58.7	66.4	74.8
Grampian						
Male manual	55.6	66.7	81.5	55.6	66.7	81.5
Male non-manual	30.8	34.6	42.3	30.8	34.6	38.5
All males	43.4	50.9	62.3	43.4	50.9	60.4
Female manual	62.3	84.4	87.7	63.1	84.4	87.7
Female non-manual	32.2	49.1	59.6	32.7	48.5	59.6
All females	44.7	63.8	71.3	45.4	63.5	71.3
All manual	61.1	81.2	86.6	61.7	81.2	86.6
All non-manual	32.0	47.2	57.4	32.5	46.7	56.9
All workers	44.5	61.8	69.9	45.1	61.6	69.7
Highland and Island						
Male manual	n/a	n/a	n/a	n/a	n/a	n/a
Male non-manual	36.4	45.5	45.5	36.4	45.5	45.5
All males	50.0	60.0	65.0	50.0	60.0	65.0
Female manual	82.4	94.1	94.1	82.4	94.1	94.1
Female non-manual	56.4	70.9	80.0	56.4	80.0	80.0
All females	70.7	83.7	87.8	70.7	87.8	87.8
All manual	80.5	92.2	93.5	80.5	92.2	93.5
All non-manual	53.0	66.7	74.2	53.0	66.7	74.2
All workers	67.8	80.4	84.6	67.8	80.4	84.6
Lothian						
Male manual	63.0	77.8	81.5	63.0	77.8	81.5
Male non-manual	42.2	64.4	66.7	42.2	62.2	66.7
All males	50.0	69.4	72.2	50.0	68.1	72.2
Female manual	77.3	83.6	88.2	78.2	82.7	87.3
Female non-manual	34.1	49.6	58.8	35.0	49.1	59.3
All females	48.2	60.7	68.5	49.1	60.1	68.5
All manual	74.5	82.5	86.9	75.2	81.8	86.1
All non-manual	35.4	52.0	60.1	36.2	51.3	60.5
All workers	48.5	62.3	69.1	49.3	61.5	69.1
Strathclyde						
Male manual	63.1	75.4	81.5	63.1	69.2	84.6
Male non-manual	33.8	48.5	61.8	33.8	50.0	61.8
All males	48.1	61.7	71.4	48.1	59.4	72.9
Female manual	72.5	85.0	91.2	73.6	85.9	90.7
Female non-manual	30.5	46.6	59.5	31.5	46.7	59.8
All females	47.6	62.2	72.4	48.6	62.7	72.4
All manual	71.2	83.7	89.9	72.2	83.7	89.9
All non-manual	30.8	46.8	59.7	31.7	47.1	60.0
All workers	47.7	62.1	72.3	48.6	62.3	72.4

NES—April 1995 (GB) Part-time employees on adult rates, whose pay for the survey period was unaffected by absence

Gross hourly earnings	Including overtime percentage of employees earning			Excluding overtime percentage of employees earnings		
	£4.26	£5.03	£5.68	£4.26	£5.03	£5.68
Tayside						
Male manual	54.5	81.8	81.8	54.5	81.8	81.8
Male non-manual	33.3	50.0	58.3	41.7	50.0	58.3
All males	43.5	65.2	69.6	47.8	65.2	69.6
Female manual	74.6	84.5	85.9	74.6	85.9	87.3
All non-manual	46.2	59.6	74.0	48.1	60.6	74.0
All females	57.7	69.7	78.9	58.9	70.9	79.4
Female manual	72.0	84.1	85.4	2.0	85.4	86.6
All non-manual	44.8	58.6	72.4	47.4	59.5	72.4
All workers	56.1	69.2	77.8	57.6	70.2	78.3

n/a = Data not available due to limited sample size.

New Earnings Survey, April 1995 (GB)
Average weekly earnings, of part-time employees on adult rates, whose pay for the Survey period was not affected by absence

	Including overtime			Excluding overtime		
	Manual £	Non-manual £	All £	Manual £	Non-manual £	All £
Great Britain						
Males	98.1	149.8	126.3	86.4	144.0	117.8
Females	76.6	114.2	101.6	72.2	109.3	97.0
All	80.8	118.8	105.4	75.0	113.8	100.1
Scotland						
Males	n/a	n/a	n/a	n/a	n/a	n/a
Females	78.2	116.6	101.4	72.9	111.2	96.0
All	80.8	118.2	103.2	74.2	112.6	97.2
Fife						
Males	n/a	n/a	n/a	n/a	n/a	n/a
Females	n/a	n/a	n/a	n/a	n/a	n/a
All	n/a	n/a	n/a	n/a	81.1	n/a
Grampian						
Males	n/a	n/a	n/a	n/a	n/a	n/a
Females	n/a	120.6	102.6	73.0	n/a	98.1
All	75.2	124.3	103.7	71.3	119.1	99.1
Lothian						
Males	n/a	n/a	n/a	n/a	n/a	n/a
Females	n/a	120.2	107.3	75.0	114.3	101.6
All	123.6	123.6	111.9	n/a	n/a	105.1
Strathclyde						
Males	n/a	n/a	n/a	n/a	n/a	n/a
Females	81.4	121.1	105.1	74.6	115.4	98.9
All	83.4	119.7	104.7	75.4	114.0	98.1

1. Data are not available for Borders, Central, Dumfries and Galloway, Highlands and Islands are Tayside due to limited sample sizes.
n/a = Result not available due to limited sample size.

EU Contributions

Sir Teddy Taylor: To ask the Chancellor of the Exchequer what estimate he has made of the gross contribution to be made to the European Union in the

calendar year 1996 and the appropriate net contribution; and if he will publish a table showing these figures for the previous four years. [24068]

Mr. Heathcoat-Amory: The Government's forecast of the United Kingdom's gross and net contribution to the European Community in 1996 will shortly be published in the annual White Paper, "Statement on the Community Budget". Outturn figures for the years 1992 to 1995 are set out in the table:

£ million

Year	Gross contributions before abatement	Abatement	Gross contributions after abatement	Public sector receipts	Net contribution after abatement and public sector receipts
1992	6,738	–1,881	4,857	–2,827	2,030
1993	7,985	–2,539	5,446	–3,291	2,155
1994	7,189	–1,726	5,463	–3,253	2,211
1995	8,889	–1,207	7,682	–3,522	4,160

Income Tax

Mr. Forman: To ask the Chancellor of the Exchequer, pursuant to his answer of 14 March, *Official Report*, column *688*, what is his estimate of the average rate of income tax in 1996–97 for *(a)* a two-earner married couple with no children and *(b)* a two-earner married couple with two children under 11 years of age, if the households concerned are on (i) half average household income, (ii) average household income and (iii) twice average household income. [24105]

Mr. Jack: Standard comparisons are based on calculating income tax liabilities with incomes at multiples of full-time male average earnings and full-time female average earnings—adult rates, all occupations. Estimates for 1996–97 are given in the table.

Income tax as a percentage of earnings

	Multiple of average earnings[1]		
	0.5	1	2
Two-earner married couple with no children	10.6	17.3	23.5
Two-earner married couple with two children under 11[2]	4.9	14.4	22.0

[1] Full-time males plus full-time females on adult rates, all occupations.

[2] Net of child benefit.

Mr. McAllion: To ask the Chancellor of the Exchequer what was the percentage of their population paying the higher rate of income tax for each regional council area and district council area in Scotland. [23796]

Mr. Jack: Information derived from the survey of personal incomes for the larger Scottish regions in 1993–94 is shown in the table. I regret that reliable estimates are not available for the smaller regions or district council areas.

	Number of higher rate taxpayers in 1993–94 expressed as a percentage of people aged 16 years or over
Scotland	3.0
Central	3.0
Fife	2.0
Grampian	4.8
Highlands	2.8
Lothian	3.9
Strathclyde	2.5
Tayside	2.8

Occupational Pension Schemes

Mr. Jim Cunningham: To ask the Chancellor of the Exchequer (1) what is the total sum contributed by employers to occupational pensions on behalf of employees in the last year for which figures are available; [23978]

(2) what estimate he has made of the number of *(a)* higher rate taxpayers, *(b)* basic rate taxpayers and *(c)* lower rate taxpayers who benefit from employers' contributions to occupational pension schemes; [23976]

(3) how much of the tax relief on employers' occupational pension contributions is attributable to *(a)* higher rate taxpayers, *(b)* basic rate taxpayers and *(c)* lower rate taxpayers; [23979]

(4) what is the estimated average rate of tax relief on employers' contributions to occupational pension schemes. [23977]

Mr. Jack: The latest estimate, which is still provisional, is that total employers' contributions to occupational pensions 1994–95 were about £10,300 million. Information is not available to enable employers' contributions to be related to particular individuals. The revenue cost of not treating employers' contributions as a taxable benefit in kind of the employees is based on an average marginal tax rate of about 28 per cent., giving a cost of tax relief of around £2,900 million. This assumes that the distribution of marginal tax rate is similar to that of employees generally, but it would be misleading to provide the more detailed information requested on the basis of very general assumptions.

Mr. Cunningham: To ask the Chancellor of the Exchequer if he will estimate the number of employees in pensionable employment whose pension entitlement is not at present covered by the earnings ceiling. [23980]

Mr. Jack: The information is not available centrally. Only the trustees of individual occupational schemes would be able to provide this information.

Unemployment Statistics

Mr. Ieuan Wyn Jones: To ask the Chancellor of the Exchequer what is the number of unemployed persons in *(a)* the United Kingdom and *(b)* Wales, aged under 25 years; how many have never attained full-time employment; how many have a higher education qualification; and if he will make a statement. [23800]

Mrs. Angela Knight: Information available from the labour force survey for autumn—September to November—1995 is shown in the table. It is not seasonally adjusted.

	United Kingdom	*Wales*
International Labour Organisation unemployed aged under 25	737,000	35,000
Of which: Have a higher education qualification[1]	80,000	[2]—
Never had a paid job	295,000	12,000
of which: in full-time education	106,000	[2]—

[1] Qualification above A-level or equivalent.
[2] Estimate below 10,000 not shown.

EDS Ltd.

Mr. Redmond: To ask the Chancellor of the Exchequer what savings to date have been made by his Department as a result of out-sourcing arrangements made with the EDS computer system; what assessment he has made of the equivalent costs for carrying out this work in-house; and if he will make a statement. [24235]

Mrs. Angela Knight: The Treasury currently has no out-sourcing arrangements with the EDS computer system.

Budget (Women)

Ms Jowell: To ask the Chancellor of the Exchequer (1) if he will ask his Department to conduct a separate analysis of the impact the measures in this year's Budget will have on women in advance of his autumn Budget statement; [22726]

(2) what assessment his Department made in advance of the autumn Budget statement of the impact which the measures in last year's Budget would have on women. [22727]

Mr. Heathcoat-Amory: The impact of the Budget on all groups is considered very carefully.

VAT (Sanitary Products)

Ms Jowell: To ask the Chancellor of the Exchequer what was the estimated revenue generated from value added tax on sanitary products for women in each of the last four years; and what would be the estimated annual cost to the Treasury of reducing value added tax on sanitary products to the lowest permissible level. [22762]

Mr. Heathcoat-Amory: No actual figures are available on the revenue generated from value added tax on sanitary products for women; however, it is estimated to be of the order of £40 million annually. The estimated annual cost to the Treasury of reducing value added tax on sanitary products to 5 per cent. the lowest permissible level, is approximately £25 million.

Ms Jowell: To ask the Chancellor of the Exchequer what consideration his Department has given to reducing value added tax on sanitary products to a lower rate. [22763]

Mr. Heathcoat-Amory: Since the last Labour Government agreed with other EU member states in 1977 that the UK would not extend the scope of its existing zero rates, it is not possible to zero-rate these products. Member states may apply to them a reduced rate of not less than 5 per cent., but it remains Government policy not to have a reduced rate for anything except domestic fuel and power in the interests of having as simple a rate structure for the tax as possible.

Unfunded Pension Liabilities

Mr. David Shaw: To ask the Chancellor of the Exchequer what assessment he has made of the adequacy of the dissemination of information among member states' Ministers and senior officials relating to unfunded pension liabilities and other member state unfunded liabilities in connection with a single European currency. [22624]

Mrs. Angela Knight: Measuring future pensions and other liabilities on a comparable basis for different countries is not straightforward, but studies have been undertaken by the OECD and others and widely disseminated. These suggest that, compared with other member states, the UK is in a relatively favourable position in this area.

VAT and Excise Office, Hammersmith

Mr. Soley: To ask the Chancellor of the Exchequer how many customers have attended in person to pay VAT and related taxes on the last date for payment in each of the last 12 months at Griffin house VAT and excise office, Hammersmith. [23659]

Mr. Heathcoat-Amory: One hundred and twenty-eight customers have attended in person to pay taxes on the last date for payment during the year to February 1996. The number of customers attending in each month are:

	Number
31 March 1995	23
28 April 1995	8
31 May 1995	4
30 June 1995	4
31 July 1995	15
31 August 1995	18
29 September 1995	14
31 October 1995	3
30 November 1995	3
29 December 1995	10
31 January 1996	9
29 February 1996	17
	128

In addition, 571 envelopes were deposited for onward transmission to the Department's accounting centre in Southend, and it is fair to assume that a significant proportion of these would have included payments.

Computers

Mr. David Atkinson: To ask the Chancellor of the Exchequer if he will make a statement on the problem of non-recognition by computers of the year 2000 with regard to his Department's computers and those for which it is responsible. [24398]

Mrs. Angela Knight: The Treasury is aware of the problem and has already taken action. It will take into account forthcoming guidance to be issued by the Central Computer and Telecommunications Agency in April and, in parallel, it is investigating the scale and complexity of the problem as it affects its own information technology systems. We will proceed on the basis of the results of this exercise.

Waste Minimisation

Ms Ruddock: To ask the Chancellor of the Exchequer if he will make a statement on progress in establishing an office waste minimisation strategy for his Department, indicating the targets set. [24509]

Mrs. Angela Knight: The Treasury supports fully the Government statement in the White Paper, "Making Waste Work, A strategy for sustainable waste management in England and Wales". We aim to set targets by the end of 1996.

Manufactured Goods

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer if he will make a statement on trends in the balance of trade in manufactures since 1992. [24827]

Mrs. Angela Knight: There has been no obvious trend in the balance of trade in manufacturers since 1992, although the volume of exports has increased faster than the volume of imports.

Private Finance Initiative

Mr. Matthew Banks: To ask the Chancellor of the Exchequer what progress has been made towards agreeing private finance initiative projects in 1995–96; what steps he is taking to increase the number of private finance initiative contracts; and if he will make a statement. [25127]

Mr. Jack: The private finance initiative is now making a serious contribution to the delivery of services to the public. Within 12 months, the Government have agreed projects with a capital value of £4.8 billion. In addition, projects with a capital value of around £300 million are at preferred bidder stage. A further £330 million worth is expected to be agreed shortly. These are listed in the tables.

These figures tell only part of the story. The total value of a PFI deal to the private sector can typically be three times the capital value because the Government contract to buy services associated with an asset for years to come.

Through PFI, the Government have achieved more than many people ever thought possible, though agreeing this number of deals has not been without problems. I have published new procurement guidelines today which will be circulated throughout the public sector. They are a practical response to comments made by people active in PFI and are designed to help smooth out processes, reduce bidding costs and speed up the flow of good deals. I have placed a copy in the Library.

PFI offers prospects for the public and private sectors to work in partnership throughout the country. I am about to embark on a tour to promote PFI regionally and to hear directly from people active on PFI contracts.

From this solid base, the Government intend to go on to agree at least £14 billion worth of deals by the end of 1998–99. The PFI is unlocking new resources, producing a new range of investment opportunities and increasingly replacing more old-style public sector capital spending and service procurement.

Agreed private finance initiative projects

	£ million
Home Office	
Bridgend prison	50
Fazakerley prison	50
Immigration Nationality Department	20
Other Home Office projects	20
Transport	
Channel tunnel rail link	3,000
Northern Line trains	400
Ist tranche design, build, finance and operate	380
Social Security	
National insurance recording computer system	150
Health	
South Bucks district general hospital	40
St. James', Leeds	50
Royal Berks and Battle	20
Norwich and Norfolk district general hospital	170
Swindon and Marlborough	90
Smaller deals	70
Defence	
RAF vehicle fleet in Germany	50
Other defence projects	55
Scotland	
Dundee district council: waste to energy	40
Hairmyres and Stonehouse NHS trust	60
Other Scottish health projects	20
Wales	
University Hospital Wales	10
Environment	
Waltham Forest housing action trust	15
Total value of agreed announced projects	4,760
Other hospital projects with identified preferred bidder but which have yet to be announced	300

Examples of imminent projects

Projects	*£ million*
Docklands Light Railway extension	120
Longbenton DSS: Newcastle site redevelopment	80
Benefit payments automation through Post Office	120
British museum support building	10
Total	330

DEFENCE

Defence Estimates

Mr. Redmond: To ask the Secretary of State for Defence when he expects to publish the 1996 statement on the defence estimates; and if he will ensure that the 1996 edition of "Defence Statistics" will be published concurrently. [23442]

Mr. Soames: On current plans, the statement on the defence estimates 1996 should be published and laid in the House on 1 May 1996. As last year, we expect to publish the 1996 edition of "Defence Statistics" in mid-July, the earliest feasible date, allowing for compilation and validation of information relating to the end of the financial year.

EDS Ltd.

Mr. Redmond: To ask the Secretary of State for Defence what out-sourcing contracts his agencies have with the EDS software computer system; what is the current cost; when the contract ends; what are the penalties involved should he seek early termination of the contract; and if he will make a statement. [23739]

Mr. Arbuthnot: This is a matter for the Defence Evaluation and Research Agency, the Hydrographic Office and the Meteorological Office under their framework documents. I have asked the chief executives to write to the hon. Member.

Letter from John Chisholm to Mr. Martin Redmond, dated 3 April 1996:

You asked the Secretary of State for Defence for details about out-sourcing contracts his agencies have with the EDS software computer system. I am replying on behalf of the Defence Evaluation and Research Agency (DERA).

I have assumed that the question refers only to computer software systems and I have based my answer on this. DERA does not have any such contracts with EDS.

I hope this is helpful.

Letter from J. P. Clarke to Mr. Martin Redmond, dated 3 April 1996:

1. You recently asked the Secretary of State for Defence two Parliamentary Questions relating to out-sourcing contracts with EDS software computer systems. As your questions relate, in part to the Hydrographic Office and such issues fall within my responsibility as Chief Executive of the Hydrographic Office, I have been asked to reply to you.

2. I have assumed you would not object if I were to answer both of your questions in this letter and on that basis I can advise you that the Hydrographic Office has no out-sourcing contract with EDS. Furthermore the Hydrographic Office has never had any out-sourcing arrangement with EDS and, as a consequence, no savings can be reported.

3, I hope this information has been helpful.

Letter from J. C. R. Hunt to Mr. Martin Redmond, dated 3 April 1996:

As Chief Executive of the Meterological Office I am replying to your recent questions to the Defence Secretary concerning out-sourcing contracts with EDS.

We currently have no such contracts.

Mr. Redmond: To ask the Secretary of State for Defence what assessment he has made of the savings to date to his Department and his Department's agencies from out-sourcing arrangements made with the EDS software computer system; what assessment he has made of the equivalent costs for carrying out this work in-house; and if he will make a statement. [24360]

Mr. Arbuthnot: This information is not held centrally for my Department and could be provided only at disproportionate cost.

The matters fall also, however, to the chief executives of the Defence Evaluation and Research Agency, the Hydrographic Office and the Meteorological Office under their framework documents. I have asked the chief executives of those agencies to write to the hon. Member.

Letter from John Chisholm to Mr. Martin Redmond, dated 3 April 1996:

You asked the Secretary of State for Defence what assessment he has made of the savings to-date to his Department and his Department's agencies from out-sourcing arrangements made with the EDS software computer system compared with the use of in-house services. I am replying on behalf of the Defence Evaluation and Research Agency (DERA).

I have assumed that the question refers only to computer software systems and I have based my answer on this. DERA does not have any such contracts with EDS.

I hope this is helpful.

Letter from J. C. R. Hunt to Mr. Martin Redmond, dated 3 April 1996:

As Chief Executive of the Meteorological Office I am replying to your recent questions to the Defence Secretary concerning out-sourcing contracts with EDS.

We currently have no such contracts.

Letter from J. P. Clarke to Mr. Martin Redmond, dated 3 April 1996:

1. You recently asked the Secretary of State for Defence two Parliamentary Questions relating to out-sourcing contracts with EDS software computer systems. As your questions relate, in part to the Hydrographic Office and such issues fall within my responsibility as Chief Executive of the Hydrographic Office, I have been asked to reply to you.

2. I have assumed you would not object if I were to answer both of your questions in this letter and on that basis I can advise you that the Hydrographic Office has no out-sourcing contract with EDS. Furthermore the Hydrographic Office has never had any out-sourcing arrangement with EDS and, as a consequence, no savings can be reported.

I hope this information has been helpful.

Helicopters

Mr. Allason: To ask the Secretary of State for Defence what is the ratio of support and maintenance technicians for helicopters in support of the Army between those operated by the Royal Air Force and the Army air corps. [24130]

Mr. Soames: The Army air corps has an aircraft establishment of 260 helicopters, with 43 reserves. These receive first and second-line technical support from 1,022 aircraft engineering officers and men, and 293 contractors' personnel. The Royal Air Force has an aircraft establishment of 138 support helicopters, with 35 reserves. These are supported by 1,708 aircraft engineers, and 230 contractors' personnel. Third-line support of these helicopters is provided under tri-service arrangements. It would be misleading to draw a direct comparison between these two sets of figures. The technical complexity of the helicopters involved is very different, as are the levels of maintenance carried out at the second line by the two services.

Cyprus (Discipline)

Mr. Hanson: To ask the Secretary of State for Defence how many violent incidents were recorded by

the British Army in Cyprus which occurred off base and involved the civilian population in each of the last five years. [24076]

Mr. Soames: Until recently, this information has not been held centrally and could be provided only at disproportionate cost. For the period 1 January 1995 to 1 January 1996, there were 16 cases of grievous bodily harm involving members of the British Army in Cyprus. Of these, seven were between soldiers, seven were attacks on soldiers by civilians, and two were attacks on civilians by soldiers.

Mr. Hanson: To ask the Secretary of State for Defence what were the legal costs so far for the defence of riflemen of the Royal Green Jackets for all the charges relating to the attack and killing of Louise Jensen on Cyprus in 1994 for *(a)* the pre-trial stage of the proceedings taken against them by the authorities in Cyprus and *(b)* the trial. [24132]

Mr. Soames: The bills presented for legal aid have not differentiated between pre-trial and trial costs. Bills presented to 31 December 1995 have amounted to £170,000. We estimate that additional bills to date yet to be presented will add a further £30,000 approximately.

RAF Bentwaters

Mr. Harvey: To ask the Secretary of State for Defence what plans he has to ensure the integration into the local economy of the development of the vacant site at RAF Bentwaters; and if he will make a statement. [24372]

Mr. Soames: Over a period of two years, my Department has liaised extensively with the local authorities, Suffolk county council, and Suffolk Coastal district council and the Department of the Environment to agree a planning brief for this site. That brief has now been adopted in the structure and local plans, and will form the basis on which detailed planning applications from the purchaser are determined.

Mr. Harvey: To ask the Secretary of State for Defence if he will list the bids received for the recently vacated site of RAF Brentwaters; and if he will make a statement. [24373]

Mr. Soames: It is not our practice to disclose the bids received for surplus property as this information is commercially confidential.

RAF Woodbridge

Mr. Harvey: To ask the Secretary of State for Defence (1) if he will list the bids received for the recently vacated site of RAF Woodbridge; and if he will make a statement; [24375]

(2) what plans he has to ensure the integration into the local economy of the development of the vacant site at RAF Woodbridge; and if he will make a statement. [24374]

Mr. Soames: RAF Woodbridge was taken into the Army estate on a phased basis between 1993 and 1995. It is currently being used for training and as accommodation. The only vacant site at Woodbridge barracks is the former USAF technical site, no bids for which have been invited. Its future use is being considered by a firm of civilian consultants. The opinions, views and concerns of the local authorities and communities will be taken into consideration before any decisions are made.

Gulf War Syndrome

Mr. Llew Smith: To ask the Secretary of State for Defence if he will ensure that the research conducted by Dr. Howard Urnovitz into the effects of oral polio vaccines administered to service and medical personnel serving in Operation Granby is referred to his Department's continuing review of the origins and consequences of Gulf war syndrome. [24291]

Mr. Soames: My Department will consider all relevant research material on the health problems experienced by Gulf veterans.

Patriot Missiles

Mr. Spellar: To ask the Secretary of State for Defence what evaluation has been made of the effectiveness of patriot missiles during the Gulf war. [24199]

Mr. Soames: It is not our practice to comment on the effectiveness of military equipment used by allies, unless it is also in service with our own forces.

Defence Accounts Agency (Visits)

Mr. Cousins: To ask the Secretary of State for Defence what visits on official business staff of the defence accounts agency have undertaken in the last 12 months; what was the date and purpose of the visits in each case; how many members of staff the agency has working in non-United Kingdom locations for periods in excess of three months; and in which countries they are located. [24190]

Mr. Arbuthnot: This is a matter for the chief executive of the Defence Pay and Personnel Agency. I have asked the chief executive to write to the hon. Member.

Letter from M. A. Rowe to Mr. Jim Cousins, dated 3 April 1996:

I am replying to your question to the Secretary of State for Defence about visits on official business and overseas working as the matters referred to fall within my responsibilities as Chief Executive of the Pay & Personnel Agency.

The Pay & Personnel Agency, in common with its predecessor the Defence Accounts Agency, does not maintain records in the detail you ask, and to assemble the necessary statistics would entail the expenditure of disproportionate time and cost. It is, however, Agency practice that all such visits are properly scrutinised before they take place and are only undertaken when alternative arrangements are not practical.

The Pay & Personnel Agency employs six people in a non-United Kingdom location. These are civilian staff locally employed in Malta, administering the pension entitlements of Maltese nationals who were at one time employed by the United Kingdom Government.

Alcohol Awareness Policy

Mr. Soley: To ask the Secretary of State for Defence if he will review the alcohol awareness policy for the armed forces *(a)* in the United Kingdom, *(b)* in Cyprus and *(c)* in other overseas ports; and if he will make a statement. [24473]

Mr. Soames: The armed forces have a comprehensive alcohol awareness policy. Each service has in place a comprehensive system of education and training on alcohol-related problems. Pamphlets, films and lectures are used to make all personnel aware of the dangers of abuse. Education on alcohol abuse is given to all new recruits on entry and this is continued in units regularly and prior to deployment overseas. Commanding officers are encouraged to limit the number of bars in their units, and opening hours are controlled and monitored. Instructions are published regularly in unit orders to remind personnel of their responsibilities in these matters and the pursuit of sport and other leisure activities is actively encouraged as a means of preventing personnel becoming bored and spending too much time in bars. Officers and non-commissioned officers are trained to recognise symptoms of abuse and all three services offer rehabilitation programmes for those with alcohol-related problems.

Misconduct in relation to alcohol is dealt with as a disciplinary issue. Drunkenness is a specific offence under the Service Discipline Acts and charges are brought where appropriate.

The policy applies equally at home and overseas, but local commanders may carry out additional awareness training as may be necessary to cover local conditions.

In Cyprus all new arrivals, service, civilians and dependants over 18, as well as all visiting personnel and units, are briefed on the dangers of alcohol abuse. This message is reinforced regularly through a rolling programme of alcohol abuse briefings, through routine orders and other orders and the chain of command. The Soldiers, Sailors and Air Force Association further reinforces this message through an active command health promotion programme. The commander, British forces Cyprus keeps the policy on alcohol abuse under constant review, imposing, as necessary, restrictions such as out-of-bounds arrangements or requirements for personnel to sign out and sign in when leaving and returning to barracks in off-duty time. In the wake of the Louise Jensen trial, the commander, British forces Cyprus has begun a full and radical review of what more might be done.

Computers

Mr. David Atkinson: To ask the Secretary of State for Defence if he will make a statement on the problem of non-recognition by computers of the year 2000 with regard to his Department's computers and those for which it is responsible. [24411]

Mr. Arbuthnot: The capability of the Ministry of Defence's existing computer systems to recognise the year 2000 date change is already under investigation and an initial impact survey has been carried out to give an indication of the likely extent of the problem.

Early signs are that the effects may not be as severe as originally thought since the managers of most of the MOD's computer systems have already taken action to avoid date change errors. However, further work is in hand to provide a more comprehensive picture and it is expected that this will lead to the issue of guidance to computer users and systems managers. The work being undertaken currently by the Central Computer and Telecommunications Agency on this matter is being carefully monitored.

Waste Minimisation

Ms Ruddock: To ask the Secretary of State for Defence if he will make a statement on progress in establishing an office waste minimisation strategy for his Department, indicating the targets set. [24505]

Mr. Arbuthnot: As set out in the statement on the defence estimates 1995, Cm 2800, the Department is reviewing its overall waste management arrangements, including waste minimisation. Office waste is only one of many defence waste streams. The Department of the Environment is producing guidance on the minimisation of office waste, on which we intend to draw in formulating MOD strategies for waste management and minimisation.

LORD CHANCELLOR'S DEPARTMENT

War Pension Appeals

Mr. McNamara: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the average time lapse between notice of appeal being given to the war pensions appeal tribunal and the case being heard; what is the shortest time; and what is the longest time before an appeal has been heard. [24044]

Mr. Jonathan Evans: As at February 1996, the average time for a case to be heard at the pensions appeal tribunals from the date the appeal was received was 55 weeks. Of those cases finally determined during that month, the shortest waiting time was nine weeks and the longest 302 weeks.

Mr. McNamara: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the age profile in five-yearly intervals of outstanding applicants before the war pensions appeal tribunal. [24046]

Mr. Evans: This information is not available in the form requested and could be obtained only at disproportionate cost.

Mr. McNamara: To ask the Parliamentary Secretary, Lord Chancellor's Department how many applicants before the war pensions appeal tribunal are cases alleging combat-induced post-traumatic stress disorder. [24048]

Mr. Evans: The information is not available as the pensions appeal tribunals do not record appeals by the type of medical condition subject to appeal.

Mr. McNamara: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the number of appeals currently outstanding before the war pensions appeal tribunal; and what was the number for each year for the past 10 years. [24043]

Mr. Evans: As at February 1996, there were 10,657 appeals outstanding. The number of appeals lodged has increased threefold in the last three years. The number outstanding as at the end of each of the last 10 years was as follows:

1986: 1,841
1987: 2,194
1988: 1,837
1989: 2,135
1990: 1,658

1991: 1,821

1992: 1,356

1993: 2,405

1994: 5,737

1995: 9,697

Mr. McNamara: To ask the Parliamentary Secretary, Lord Chancellor's Department what estimate he has made of the increase in throughput of appeals before the war pensions appeal tribunal as a result of the recent increase in tribunal members. [24045]

Mr. Evans: The appointment of additional tribunal members during 1995 has meant that the number of venues where appeals are normally heard on a weekly basis has increased from four to eight, and it is planned to increase that number to 10 in may . In 1995, 4,907 cases were decided, compared with 2,863 in 1994.

Mr. McNamara: To ask the Parliamentary Secretary, Lord Chancellor's Department how many cases before the war pensions appeal tribunal have lapsed as a result of the death of the applicant. [24047]

Mr. Evans: The information is not available as the pensions appeal tribunals do not keep a record of cases that have lapsed due to the death of the appellant. There is provision for the next of kin to continue the case.

Computers

Mr. David Atkinson: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on the problem of non-recognition by computers of the year 2000 with regard to his Department's computers and those for which it is responsible. [24405]

Mr. Evans: My Department is aware of this potential problem and is assessing the impact on its computer systems.

County Court Service (Wales)

Mr. Ron Davies: To ask the Parliamentary Secretary, Lord Chancellor's Department what proposals he has to reorganise the county court service in Wales. [24521]

Mr. Jonathan Evans: The question concerns a specific operational matter on which the chief executive of the Court Service is best placed to provide an answer and I have accordingly asked the chief executive to reply direct.

Letter from M. D. Huebner to Mr. Ron Davies, dated 3 April 1996:

The Parliamentary Secretary, Lord Chancellor's Department has asked me to reply to your Question about the county courts in Wales.

The Court Service constantly monitors and reviews the viability of its court network in the light of changing business needs and workload trends. A business case has been submitted to Court Service Headquarters proposing the transfer of administrative work from Ammanford County Court to the county courts at Llanelli and Carmarthen and to a new court centre at Swansea but retaining judicial sittings at Ammanford. Initial business cases are also being considered for the closure of Mold and Holywell County Courts. All proposal will be subject to a period of widespread public consultation. The final decision on the closure of any county court is, however, for the Lord Chancellor.

A survey of users has been conducted at Chepstow, Aberdare and Caerphilly County Courts to establish the extent of the service that these courts provide to the public. The results of the surveys are currently being evaluated and no decisions have yet been made.

The structure of the Wales and Chester Circuit is also being reshaped as part of the Court Service Management Structure Review. This is an administrative reorganisation and there will be no effect on the business of the county courts.

Mr. Davies: To ask the Parliamentary Secretary, Lord Chancellor's Department how many cases were heard during each of the last three years at Caerphilly county court; and what percentage of these cases received legal aid. [24522]

Mr. Evans: The question concerns a specific operational matter on which the chief executive of the Court Service is best placed to provide an answer and I have accordingly asked the chief executive to reply direct.

Letter from M. D. Huebner to Mr. Ron Davies, dated 3 April 1996:

The Parliamentary Secretary, Lord Chancellor's Department has asked me to reply to your Question about the number of cases heard at Caerphilly County Court.

No Circuit Judge sits at Caerphilly County Court; instead cases are listed at the trial centre at Pontypridd. In 1995/6, 25 cases from Caerphilly were heard at Pontypridd. It is not possible to identify Caerphilly cases from Pontypridd's lists for the earlier two years.

In 1993/94, 220 District Judge hearings were held in open court and 768 in chambers. In 1994/5 these numbered 164 and 746 respectively and in 1995/6, 89 and 773. It is not possible to identify which of these involved parties receiving legal aid and this information could only be obtained at disproportionate cost.

Mr. Davies: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the current annual cost of providing the County court service in Caerphilly. [24517]

Mr. Evans: The question concerns a specific operational matter on which the chief executive of the Court Service is best placed to provide an answer and I have accordingly asked the chief executive to reply direct.

Letter from M. D. Huebner to Mr. Ron Davies, dated 3 April 1996:

The Parliamentary Secretary, Lord Chancellor's Department has asked me to reply to your Question about the cost of providing the county court service at Caerphilly.

The annual cost, including judicial and administrative salaries and accommodation and running costs, is approximately £93,269.

Waste Minimisation

Ms Ruddock: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on progress in establishing an office waste minimisation strategy for his Department, indicating the targets set. [24508]

Mr. Jonathan Evans: The Lord Chancellor's Department will set a target for overall waste reduction by December 1996.

EDS Ltd.

Mr. Redmond: To ask the Parliamentary Secretary, Lord Chancellor's Department what savings to date have been made by his Department as a result of outsourcing arrangements made with the EDS computer system; what

assessment he has made of the equivalent costs for carrying out this work in-house; and if he will make a statement. [24232]

Mr. Jonathan Evans: My Department has not entered into any outsourcing contracts with EDS.

Mr. Redmond: To ask the Parliamentary Secretary, Lord Chancellor's Department what outsourcing contracts his agencies have with the EDS software computer system; what is the current cost; when the contract ends; what are the penalties involved should he seek early termination of the contract; and if he will make a statement. [23727]

Mr. Evans: The Lord Chancellor has responsibility for four agencies: the Court Service, HM Land Registry, the Public Record Office and the Public Trust Office. As the question concerns a specific operational matter, the chief executives of the agencies have been asked to reply direct.

Letter from M. D. Huebner to Mr. Martin Redmond, dated 3 April 1996:

The Parliamentary Secretary, Lord Chancellor's Department has asked me to reply to the above Question about the number of computer contracts held by the firm EDS.

The Court Service has no computer contracts with this company.

Letter from Julia C. Lomas to Mr. Martin Redmond, dated 3 April 1996:

The Parliamentary Secretary has asked me to reply to you as part of the Lord Chancellor's Department's response to your Parliamentary Question, listed on 27 March 1996, regarding out-sourcing contracts with the EDS software computer system.

The Public Trust Office does not have any out-sourcing contracts with the EDS software computer system.

Letter from John Manthorpe to Mr. Martin Redmond, dated 3 April 1996:

I have been asked by the Parliamentary Secretary, Lord Chancellor's Department, to reply to your recent question concerning out-sourcing contracts with the EDS software computer system. H M Land Registry has granted no such contracts to this company.

Letter from Sarah Tyacke to Mr. Martin Redmond, dated 3 April 1996:

I have been asked by the Lord Chancellor's Parliamentary Secretary to reply for the Public Record Office to your question about out-sourcing contracts.

The Public Record Office has no out-sourcing contracts with the EDS software computer system.

Metropolitan Police (Civilian Officers)

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department if the transfer of civilian enforcement officers from the Metropolitan police service to the inner and outer London magistrates courts will be covered by the Transfer of Undertakings (Protection of Employment) Regulations 1981 and the acquired rights directive. [23445]

Mr. Jonathan Evans: I have received legal advice stating that, in general, transfers of civilian enforcement staff from the police to magistrates courts committees are likely to be subject to these regulations. Whether the regulations apply in any particular situation depends on all the facts of the case, which will be different from one area to the next. Each magistrates courts committee or police authority involved in a transfer of staff must therefore determine for itself whether the regulations will apply to it, obtaining its own legal advice on the matter if necessary.

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department which interested parties or bodies were consulted about the decision to transfer the posts and duties of civilian enforcement officers from the Metropolitan police service to the inner and outer London magistrates courts. [23443]

Mr. Evans: The following organisations were consulted either by my Department or by the Home Office about the decision to transfer the responsibility for enforcement duties from the police throughout England and Wales to magistrates courts committees, every MCC, including the inner London magistrates courts service and all outer London MCCs; the Central Council of MCCs; the Magistrates Association, the Justices' Clerks' Society; the Standing Conference of Justices' Chief Executives and Clerks to MCCs; the Association of Magisterial Officers; the Association of Chief Police Officers. Decisions on the transfer of individual posts will be for the Metropolitan police and the relevant MCCs to resolve jointly. So far as I am aware, no such decisions have yet been made by those bodies.

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department if legislation will be required to enable civilian enforcement officers to carry out their duties when they are no longer employed as the direct agents of the commissioner for the Metropolitan police. [23446]

Mr. Evans: No legislation will be required to enable civilian enforcement officers to carry out their duties if, instead of being employed by the Metropolitan police, they are employed and duly authorised by a magistrates courts committee, by a local authority or by another police authority. We are currently clarifying whether legislation would be required to enable civilian enforcement officers to carry out enforcement duties in other circumstances.

SCOTLAND

Bovine Spongiform Encephalopathy

Mrs. Liddell: To ask the Secretary of State for Scotland what total level of compensation has been given to farmers for the destruction of cattle infected with bovine spongiform encephalopathy in each year since 1990 in Scotland. [22935]

Mr. Raymond S. Robertson: The information requested is held centrally on the basis of Great Britain as a whole, and a breakdown by country could be provided only at disproportionate cost.

The total level of compensation paid to farmers on a Great Britain basis in each year since 1990 was:

1990: £12.3 million

1991: £28.1 million

1992: £56.3 million

1993: £92.6 million

1994: £116.2 million

1995: £126.6 million

Mrs. Ray Michie: To ask the Secretary of State for Scotland how many cattle have been identified as suffering from BSE in Scotland by *(a)* breed and *(b)* number for each year since 1993. [23792]

Mr. Robertson: The information requested is as shown in the following tables:

Breed	*Cases confirmed at 1 March 1996*
Aberdeen Angus	28
Aberdeen Angus crosses	489
Ayrshire	391
Ayrshire crosses	29
Charolais	38
Charolais crosses	50
Friesian	3,042
Friesian crosses	565
Galloway	3
Galloway crosses	9
Hereford	34
Hereford crosses	1,416
Highland	5
Highland crosses	1
Holstein	180
Holstein crosses	26
Jersey	20
Jersey crosses	2
Limousin	45
Limousin crosses	434
Luing	0
Luing crosses	4
Murray Grey	2
Murray Grey crosses	2
Romagnola	1
Romagnola crosses	4
Simmental	61
Simmental crosses	498
Other breeds (including crosses)	127
Total	7,506

Year	*Number of confirmed cases*
1993	2,208
1994	1,326
1995	659
1996 (15 March 1996)	48

Mrs. Michie: To ask the Secretary of State for Scotland which inhabited Scottish islands have had no recorded cases of BSE since 1989. [23793]

Mr. Robertson: Information on incidence of BSE is collected on a regional basis and a breakdown of the detail requested could be obtained only at disproportionate cost.

Countryside Premium Scheme

Mrs. Ray Michie: To ask the Secretary of State for Scotland how much money will be available from the countryside premium scheme for 1996–97 and 1997–98; and if he will make a statement. [23794]

Mr. Raymond S. Robertson: Around £2 million is available for the countryside premium scheme in 1996–1997 although the timetable for bringing the scheme into operation means that it is difficult to predict how much of this amount will be required. My noble Friend will decide later this year on the funding requirements for the scheme in 1997–98.

Further Education Colleges

Mr. Worthington: To ask the Secretary of State for Scotland which further education colleges in Scotland will have their grant in aid reduced in 1996–97; by how much; for what reasons; and which of these will be required to educate more students than the current year. [24038]

Mr. Raymond S. Robertson: The information is set out in the table.

College	*Variation from 1995–96 grant* £
Ayr	-84,300
Barony	-22,500
Bell	-265,200
Clackmannan	-14,100
Clydebank	-291,300
Coatbridge	-188,400
Dumfries and Galloway	-135,900
Dundee	-525,100
Falkirk	-60,600
Fife	-371,900
Glasgow College of Building and Printing	-241,600
Glasgow College of Food Technology	-168,700
Glasgow College of Nautical Studies	-191,100
Glenrothes	-136,700
Inverness	-314,400
Jewel and Esk Valley	-369,800
Lews Castle	-103,200
Oatridge	-94,400
Stevenson	-131,900
Thurso	-133,000
West Lothian	-241,300

Grant levels of these colleges are reducing as a result of the implementation of a new funding formula, which rewards colleges which have been most successful in reducing unit costs and attracting and retaining students. No specific targets for student growth have been set for these colleges.

Mr. Worthington: To ask the Secretary of State for Scotland what efficiency savings have been required of the further education colleges in each year since incorporation; and what is the total amount of money saved since incorporation. [24039]

Mr. Robertson: Colleges were expected to achieve an efficiency saving of 3 per cent. 1993–94 and 1994–95 and 4 per cent. in 1995–96. Because financial information pre and post incorporation cannot be meaningfully compared, it is not possible to quantify the amounts of money saved. Between 1993–94 and 1994–95 colleges delivered efficiency gains of 4 per cent. on student activity which was 6 per cent. higher.

Mr. Worthington: To ask the Secretary of State for Scotland what research has been conducted by his Department in Scotland on the consequences of incorporation of further education colleges. [24040]

Mr. Robertson: A research study into the operation of further education college boards of management, funded by the Scottish Office, was published in June 1995. Copies have been placed in the Library of the House.

Mr. Worthington: To ask the Secretary of State for Scotland if he will list the number of *(a)* administrative and *(b)* management staff employed at colleges (i) on the date of incorporation and (ii) at present. [24041]

Mr. Robertson: Information on the number of administrative and management staff employed at colleges on the date of incorporation is not held centrally. The total full-time equivalent number of support staff, on a disaggregated basis, in academic year 1994–95, the latest for which information is available, was 4,517.

Mr. Worthington: To ask the Secretary of State for Scotland how many lecturing staff were employed in further education colleges *(a)* at the date of incorporation and *(b)* at present; and how many were (i) full time and (ii) part time. [24031]

Mr. Robertson: The information is set out in the table.

	Number
October 1992	
Full-time	5,562
Part-time	4,960
Full-time equivalent	6,850
Academic year 1994–95	
Full-time	5,606
Part-time	7,448
Full-time equivalent	6,903

Information on staff numbers at 1 April 1993 is not held centrally. The October 1992 figure is the information collated prior to incorporation. Academic staff numbers are now collated on an academic year basis.

Mr. Worthington: To ask the Secretary of State for Scotland which colleges of further education were in deficit at the end of the last financial year; by how much; and which colleges his Department assesses to be in deficit in the current financial year. [24032]

Mr. Robertson: At 31 March 1995 the audited accounts showed that the deficit on total reserves, after making provision for the future cost of pension enhancements given for early retirement, for the following colleges was as shown in the table.

College	*£000*
Aberdeen	–565
Anniesland	–153
Central College of Commerce	–59
Clydebank	–305
Coatbridge	–239
Falkirk	–346
James Watt	–309
John Wheatley	–56
Langside	–134
Moray	–543
North Glasgow	–1,129
Stevenson	–593
Thurso	–101
West Lothian	–96

Information regarding financial outturns at 31 March 1996 is not yet available.

Mr. Worthington: To ask the Secretary of State for Scotland if he will make it his policy that no *(a)* closures and *(b)* amalgamations of further education colleges will occur in the next financial year. [24033]

Mr. Robertson: My right hon. Friend has presently no plans to close or amalgamate colleges.

Clydesbank College

Mr. Worthington: To ask the Secretary of State for Scotland on what basis he reduced the budget of Clydebank college in the current year. [24034]

Mr. Raymond S. Robertson: Formula funding aims to increase student participation on a cost-effective basis whilst maintaining quality. It rewards colleges which have been most successful in reducing unit costs and attracting and retaining students. The reduction in 1996–97 was largely due to the college's failure to attract additional students. The setting of the college budget is undertaken by the college board of management.

Mr. Worthington: To ask the Secretary of State for Scotland if he will make a statement on the financial position of Clydebank college. [24035]

Mr. Robertson: The latest audited accounts to 31 March 1995 show that Clydebank college had a deficit since incorporation of £70,000. In addition a deficit of £235,000 was inherited from pre-incorporation. Officials are in dialogue with college management over their plans to address its financial position.

Further Education Budget

Mr. Worthington: To ask the Secretary of State for Scotland what is the strategic aim of his method of calculating the further education budget in terms of increasing skill levels in Scotland. [24036]

Mr. Raymond S. Robertson: The aim is to increase student participation on a cost-effective basis, while maintaining quality, and thus increase the skills levels and economic competitiveness of Scotland.

Mr. Worthington: To ask the Secretary of State for Scotland what account he takes of levels of local unemployment in allocating budgets to further education colleges. [24037]

Mr. Robertson: None, as investigation has shown this not to be a significant factor in determining the total costs of colleges. Colleges delivered 6 per cent. more student activity between 1993–94 and 1994–95. Higher levels of student activity are enhancing employment prospects.

Inward Investment

Sir Hector Monro: To ask the Secretary of State for Scotland if he will list the name and location of new industries that have been attracted to Scotland by Locate in Scotland during the last 12 months. [24282]

Mr. Michael Forsyth: All our dealings with inward investors are undertaken on a commercially confidential basis and we do not therefore publish details of individual projects except in cases where details of the project have been announced by the company itself. The following table contains details of the new projects attracted to Scotland which have been the subject of public announcements since April 1995. A number of inward investors have of course also announced plans to expand their existing facilities in Scotland.

Date of announcement	*Company*	*Location*
April 1995	Birkbys Plastics Ltd.	Glenrothes
April 1995	Patrol Manufacturing	Glasgow
June 1995	Selfcare Inc.	Inverness
July 1995	MAN Truck and Bus UK Ltd.	Bellshill
July 1995	PET Processors LLC	Dumfries
July 1995	Canon (UK) Ltd.	Glenrothes
August 1995	British Gas	Edinburgh
August 1995	National Australia Group	Clydebank
August 1995	BT	Motherwell
September 1995	Precision Tube Technology	Peterhead
September 1995	Bi-Link Metal Specialities	Cumbernauld
October 1995	Lexmark International	Rosyth
November 1995	Chunghwa Picture Tubes Ltd.	Mossend
November 1995	Motorola	East Kilbride
November 1995	Foxconn UK Ltd.	Erskine
February 1996	DuPont	Hamilton

Computers

Mr. David Atkinson: To ask the Secretary of State for Scotland if he will make a statement on the problem of non-recognition by computers of the year 2000 with regard to his Department's computers and those for which it is responsible. [24403]

Lord James Douglas-Hamilton: The Scottish Office is taking steps to ensure that administrative computer systems for which it is responsible will recognise the year 2000 and will continue to process information properly.

Waste Minimisation

Ms Ruddock: To ask the Secretary of State for Scotland if he will make a statement on progress in establishing an office waste minimisation strategy for his Department, indicating the targets set. [24500]

Lord James Douglas-Hamilton: The Scottish Office is introducing an environmental management system based on the British Standard BS7750 for its largest building at Victoria quay in Edinburgh. As part of the system waste minimisation targets will be set and introduced as appropriate across the remainder of the estate. The initial review for the system has been completed and data collected in order to develop waste minimisation targets by the end of 1996.

Scottish Agricultural Science Agency

Mr. Gallie: To ask the Secretary of State for Scotland if he will make a statement on the performance of the Scottish Agricultural Science Agency against targets for 1995–96 and the setting of its targets for 1996–97. [24978]

Mr. Michael Forsyth: The agency is on course to meet the Commons targets for 1995–96 which my predecessor set out in his answer of 9 February 1995, *Official Report*, columns *359–60*.

For 1996–97 I have set the agency the following key performance targets:

fulfilment of the service level agreement with the Scottish Office agriculture, environment and fisheries department within the running costs voted to the agency for 1996–97;

recovery of full economic costs for charged services;

continuation of the programme of consultation of all major customers on the quality of the work done by the agency;

completion of 92 per cent. of all scientific tests and analyses within the timescale set by customers; and

improvement in the unit of the scientific work of the agency (cost per direct scientist hour).

Air Pollution

Mr. Gallie: To ask the Secretary of State for Scotland if he will give details of the 1996–97 charging scheme for local air pollution control in Scotland under part I of the Environmental Protection Act 1990. [25181]

Mr. Kynoch: Charges to cover the costs of local enforcing authorities in regulating processes which are subject to part I of the Environmental Protection Act 1990 were introduced in Scotland in April 1992.

With the approval of the Treasury, and following consultation with local authority associations and industry, my right hon. Friend the Secretary of State for Scotland has made a revised scheme specifying the scale of fees and charges to take effect from 31 March 1996. From 1 April, the new Scottish Environment Protection Agency has taken over the regulation of these processes.

The main changes are that the standard application fee is increased by £25 to £1,015, the application fee for a former Alkali Act works is reduced to £300, the substantial change fee is increased by £15 to £650, and the annual subsistence charge is increased by £20 to £625.

The scheme has today been laid before both Houses of Parliament and a copy placed in the Libraries.

Environmentally Sensitive Areas

Mr. Wallace: To ask the Secretary of State for Scotland what plans he has to review the workings of the environmentally sensitive area agri-environment scheme in Scotland; and if he will make a statement. [23016]

Mr. Michael Forsyth *[holding answer 1 April 1996]:* All aspects of the workings of the environmentally sensitive area scheme are kept under review.

Abattoirs (Hygiene Standards)

Mr. McLeish: To ask the Secretary of State for Scotland what recent assessment he has made of the hygiene standards in Scottish abattoirs. [24444]

Mr. Raymond S. Robertson *[holding answer 2 April 1996]:* I understand that my right hon. and learned Friend, the Minister of Agriculture, Fisheries and Food has asked the chief executive of the Meat Hygiene Service to reply to the hon. Member direct. The Meat Hygiene Service operates across Great Britain and is accountable to the British Agriculture Ministers jointly.

Self-catering Properties (Rateable Value)

Mrs. Ewing: To ask the Secretary of State for Scotland (1) what account is taken of *(a)* wages of the spouse of proprietor, *(b)* self-employed national insurance contributions, *(c)* pension contributions of the proprietor and spouse of proprietor and *(d)* turnover in assessment of the rateable value of self-catering properties; [24260]

(2) if he will list the criteria used in the assessment of the rateable value of self-catering premises. [24266]

Mr. Michael Forsyth *[holding answer 2 April 1996]:* Valuation for rating in Scotland is the responsibility of either the council or valuation joint board assessor as appropriate. In carrying out this function assessors are entirely independent of both local and central Government and reach their decisions in accordance with statute and case law.

Government Expenditure Plans

Mr. McAllion: To ask the Secretary of State for Scotland if he will list the planned expenditure falling within the Scottish block of the Government's spending plans in respect of *(a)* industry, *(b)* housing, *(c)* roads and transport, *(d)* law and order, *(e)* education, *(f)* arts and libraries, *(g)* environmental services, *(h)* social work services and *(i)* health, for each of the years 1989–90 to 1994–95 inclusive, the outturn expenditure for 1995–96, the estimated outturn expenditure and for 1996–97, using 1989–90 as the base year for comparison and excluding expenditure on additional functions taken on as a responsibility by the Secretary of State since 1989–90, and adjusting for transfers between programmes. [8724]

Mr. Michael Forsyth *[holding answer 7 March 1996]:* A tabulation on the lines requested is contained in my departmental report, a copy of which has been deposited in the House Library.

Departmental Expenditure

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland what assessment he has made of the total expenditure of his Department, its agencies and non-departmental public bodies on publicity for each of the years *(a)* 1979–80, *(b)* 1989–90, *(c)* 1991–92, *(d)* 1993–94, *(e)* 1994–95 and *(f)* 1995–96 (i) to date and (ii) as estimated for the whole year; what estimate he has made of such expenditure for 1996–97; and if he will break these figures down to indicate expenditure on (1) advertising and (2) press and public relations. [11356]

Mr. Michael Forsyth *[holding answer 25 January 1996]:* Expenditure by Scottish Office Departments and its agencies was as follows:

Year	*Total expenditure*	*Press and PR*	*Print and publications*	*Advertising*
1979–80	263,000	n/a	n/a	n/a
1989–90	2,251,000	n/a	763,000	1,488,000
1991–92	3,905,000	1,900,000	785,000	1,220,000
1993–94	3,174,000	1,300,000	816,000	1,058,000
1994–95	4,192,000	1,461,000	1,049,000	1,682,000
1995–96	4,507,000	964,000	1,724,000	1,819,000

n/a = not available.

Advertising includes press, television, radio, cinema and poster advertising.

Budgets for 1996–97 have not yet been finalised.

Details of expenditure by non-departmental public bodies are not held centrally.

Running costs figures are shown in the column headed Press and PR. No public relations companies have been employed during these years.

The Scottish Office and its agencies carry out pre-post evaluation of all their publicity campaigns and their accounts are audited on a regular basis.

FOREIGN AND COMMONWEALTH AFFAIRS

Middle East Peace Process

17. **Mr. Donald Anderson:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the progress of the peace process in the middle east. [22629]

Mr. Hanley: We have been appalled at the recent terrorist attacks in Israel.

The UK condemns these outrages and will work with her friends and allies to combat the terrorist threat and continue to work for peace.

36. **Mr. Hanson:** To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to visit the middle east in 1996 to discuss the peace process. [22649]

18. **Mr. David Evans:** To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to follow up the recent peace conference to help ensure the security of Israel. [22630]

Mr. Hanley: A meeting of officials to follow up the Sharm el-Sheikh conference took place in Washington on 27 to 29 March. The UK will play a full part in preparation of a ministerial level follow-up to take place later this week.

Taiwan

22. **Mr. Campbell-Savours:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he is having with representatives of the Government of the USA on the question of differences between China and the USA over the future of Taiwan. [22635]

Mr. Hanley: My right hon. and learned Friend the Foreign Secretary discussed the current tensions between China and Taiwan when he met US Secretary of State Christopher in Moscow on 23 March. They agreed to remain in close contact and to urge both sides to resume dialogue as soon as possible.

25. **Rev. Martin Smyth:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Chinese Government over their planned exercises off Taiwan. [22638]

Mr. Hanley: We made our grave concerns about the Chinese military exercises known to the Chinese both directly and through our public and parliamentary

statements. The EU issued a statement on 8 March. Although military exercises have now finished, we continue to urge restraint and an early resumption of cross-straits dialogue.

European Union

23. **Mr. Gordon Prentice:** To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals the Government plan to put forward to improve openness and transparency within the European Union. [22636]

Mr. David Davis: We are committed to making the European Union more open and transparent and have supported a number of proposals to achieve this. We are considering our policy on any proposals for more openness and transparency, in the context of the on-going intergovernmental conference.

Public Interest Immunity Certificates

24. **Mr. Cohen:** To ask the Secretary of State for Foreign and Commonwealth Affairs on what basis Ministers in his Department sign public interest immunity certificates. [22637]

Mr. Hanley: We are guided by the law according to which in appropriate cases we weigh, but subject always to the overriding discretion of the court, the public interest in non-disclosure against the public interests in disclosure for the purposes of doing justice.

European Security Policy

26. **Dr. Goodson-Wickes:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with his European counterparts over a common security policy. [22639]

Mr. David Davis: I regularly discuss common foreign and security policy matters with my EU counterparts, most recently at the Foreign affairs Council on 25 March.

28. **Mr. Wilkinson:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he intends next to raise the subject of European Security at the ministerial Council of the Western European Union. [22641]

Mr. Davis: European security will be discussed by the WEU Council of Ministers at its next meeting in Birmingham on 7 May, under the chairmanship of my right hon. Friend the Secretary of State for Defence and me.

Nuclear Proliferation

27. **Mr. Flynn:** To ask the Secretary of State for Foreign and Commonwealth Affairs what new proposals he has to reduce nuclear proliferation. [22640]

Mr. David Davis: We are currently supporting a number of initiatives intended to strengthen the international nuclear non-proliferation regime. These include the International Atomic Energy Agency's efforts to improve its ability to detect clandestine nuclear activities, support for early conclusion of a comprehensive test ban treaty, and a range of measures to make more effective relevant supplier regimes.

Gibraltar

29. **Mr. Simon Hughes:** To ask the Secretary of State for Foreign and Commonwealth Affairs when was the last meeting between Her Majesty's Government and the Government of Gibraltar to discuss the future of the colony; and when the next meeting is planned. [22642]

Mr. David Davis: We are in regular contact at ministerial and official level with the Government of Gibraltar on the range of issues which affect the territory. These contacts will be maintained. I was in Gibraltar last November for discussions with a wide range of Gibraltarians, including the Chief Minister and representatives of other political parties.

European Institutions

31. **Mr. Sheerman:** To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to encourage greater access to European institutions by members of national Parliaments of EU member states. [22644]

Mr. David Davis: We support greater involvement of national Parliaments in the European Union, and more contact between national parliamentarians and the European institutions. We are looking at how to take this forward in the forthcoming intergovernmental conference.

Sub-Saharan African

33. **Mrs. Fyfe:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement setting out his Department's priorities for sub-Saharan Africa. [22646]

Mr. Hanley: Our priorities are to ensure political and economic stability in the region through the promotion of democracy and good government—including free and fair elections; to encourage the support of conflict prevention and peacekeeping; to promote human rights and to promote UK trade and investment and harmonious bilateral relations.

Western Sahara

34. **Mr. Corbyn:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to bring forward the date of a referendum on the future of the Western Sahara; and if he will make a statement. [22647]

Mr. Hanley: We continue to urge full co-operation with the UN operation in the Western Sahara by Morocco and Polisario, which would establish the date for a referendum. In our view, the earlier the details of the referendum can be agreed, the better.

Counter-terrorist Initiatives

35. **Mr. Gunnell:** To ask the Secretary of State for Foreign and Commonwealth Affairs what *(a)* guidance and *(b)* assistance he has given counter-terrorist initiatives in respect of the (i) Israeli and (ii) Palestinian authorities following the conference at Sharm-el-Sheikh. [22648]

Mr. Hanley: We co-operate against terrorism with both the Israeli Government and the Palestine National Authority and we are urgently examining ways in which to deepen that co-operation.

Iraq

Mr. Cousins: To ask the Secretary of State for Foreign and Commonwealth Affairs on what occasions the United Nations special commission on Iraq has investigated *(a)* mines and *(b)* processing plants for phosphates or phosphoric materials in Iraq; and what conclusions they reached. [24200]

Mr. David Davis: UNSCOM has inspected numerous facilities in Iraq connected with the production of phosphates or phosphoric materials. Those with the potential to be involved in producing weapons of mass destruction have either been destroyed or included in the ongoing monitoring and verification system. There is further detail in the UNSCOM report of 10 April 1995, a copy of which is in the Libraries of the House.

EDS Ltd.

Mr. Redmond: To ask the Secretary of State for Foreign and Commonwealth Affairs what savings to date have been made by his Department as a result of out-sourcing arrangements made with the EDS computer system; what assessment he has made of the equivalent costs for carrying out this work in-house; and if he will make a statement. [24227]

Mr. Hanley: This Department has no out-sourcing arrangements with EDS.

Cyprus

Mr. Harry Greenway: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the United Kingdom's role as a guarantor power in Cyprus. [22929]

Mr. David Davis: The United Kingdom, along with Greece and Turkey, is a joint guarantor power of the Republic of Cyprus under the 1960 treaty of guarantee. Britain is at the forefront of international efforts to find a solution to the Cyprus problem.

Computers

Mr. David Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the problem of non-recognition by computers of the year 2000 with regard to his Department's computers and those for which it is responsible. [24408]

Mr. Hanley: This Department has put in hand a study to determine which, if any, of its computer systems will be affected by this problem. In addition, the Government Centre for Information Systems has initiated a programme of consultation and education in which we are participating.

The Overseas Development Administration is updating its computer systems, most of which already recognise the year 2000. In the process, adjustments are being to the two systems that require changes for the next year 2000. These adjustments will be completed within the next 18 months.

Waste Minimisation

Ms Ruddock: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on progress in establishing an office waste minimisation strategy for his Department, indicating the targets set. [24511]

Mr. Hanley: We aim to put in place office waste minimisation targets by the end of 1996, in keeping with the commitment in the Government White Paper "Making Waste Work". The overall target will be reduce the amount of waste by 15 per cent. over the period 1 April 1996 to 31 March 1998.

Terrorism Conference

Mr. Connarty: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the recent conference in Cairo to discuss measures to combat terrorism. [22631]

Mr. Hanley: A meeting of officials to follow up the Sharm el-Sheikh conference took place in Washington on 27 and 29 March. The UK will play a full part in preparation of a ministerial level follow-up to take place later this week.

British Council

Mr. Sutcliffe: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the future funding of the British Council's work in the middle east. [22645]

Mr. Hanley: The British Council plays an extremely valuable role in supporting our diplomatic and aid objectives in the middle east. Following the recent public expenditure survey settlement, we will shortly be discussing with the British Council its proposals for the distribution of resources both between and within individual regions.

Ms Janet Anderson: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the work of the British Council in the middle east; and if he will make a statement [22643]

Mr. Hanley: Heads of mission in middle east countries where the British Council is represented, provide regular assessments of the council's work. These serve to confirm that the council makes a very valuable contribution to our diplomatic and aid objectives.

HOME DEPARTMENT

Executive Action

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department if he will list those areas of executive action where he has discretion to act in respect of an individual without giving reasons for his decision. [20539]

Mr. Howard: As I stated in my reply to the hon. Member on 14 March, *Official Report*, column *712*, comprehensive records are not kept in the form requested. Section 44(2) of the British Nationality Act 1981 expressly provides that I am not required to give reasons for my decisions on applications for citizenship.

Firearms

Mr. Alton: To ask the Secretary of State for the Home Department how many offences committed by young people between the ages of 11 and 18 to 25 years have involved firearms in each of the last five years. [23732]

Mr. Maclean: Data held centrally on notifiable offences recorded by the police in which firearms were reported to have been used does not identify those responsible for the offences.

Information for the years 1990 to 1994 on the number of persons cautioned and convicted of offences involving the use of firearms, including air weapons, in England and Wales by age group and type of offence, is given in the table.

Data for 1995 will not be available until autumn 1996.

Number of persons cautioned and found guilty (known offenders) of offences involving the use of firearms by age and type of offence 1990–1994

England and Wales

Year/age group	Indictable	Summary
11-17 years of age		
1990	424	1,491
1991	434	1,146
1992	326	1,103
1993	340	854
1994	443	1,005
18-25 years of age		
1990	1,514	1,453
1991	1,509	1,201
1992	1,418	973
1993	1,268	635
1994	1,344	548

Mr. Barry Jones: To ask the Secretary of State for the Home Department what is the estimated number of hand-guns in Wales. [23754]

Mr. Maclean: The number of hand guns legally held on firearms certificates in Wales is estimated by the police forces concerned to be about 13,500.

Mrs. Helen Jackson: To ask the Secretary of State for the Home Department how many existing gun licences by police authority have been revoked during the past five years. [23986]

Mr. Maclean: Information on the number of revocations of both firearm and shotgun licences, by police force, is published in the annual Home Office Statistical Bulletin "Firearm Certificate Statistics, England and Wales", copies of which can be found in the Library.

Mrs. Jackson: To ask the Secretary of State for the Home Department (1) how many gun licences have been renewed during the last five years in South Yorkshire; [23988]

(2) how many new gun licences have been *(a)* considered, *(b)* approved and *(c)* refused in each of the last five years in South Yorkshire. [23987]

Mr. Maclean: The readily available information is shown in the following table:

Firearm and shotgun certificates—South Yorkshire

	New certificates				Renewals	
	Firearms		Shotguns			
	Granted	Refused	Granted	Refused	Firearms	Shotguns
1990	137	2	439	14	440	2,713
1991	125	3	556	15	486	2,576
1992	128	—	457	17	507	1,870
1993	184	—	527	7	385	2,603
1994	197	—	470	15	374	2,184

Mrs. Jackson: To ask the Secretary of State for the Home Department what is the total number of residents with a licence to keep a firearm on their premises in South Yorkshire *(a)* at present, *(b)* last year, *(c)* in 1991 and *(d)* in 1986. [23989]

Mr. Maclean: The readily available information relates to the number of firearm and shotgun certificates on issue in South Yorkshire at 31 December each year. This is as follows:

Firearm and shotgun certificates on issue in South Yorkshire at 31 December

	Firearm certificates	Shotgun certificates
1986	1,718	11,460
1991	1,507	8,806
1993	1,597	9,174
1994	1,766	9,137

Mr. William Ross: To ask the Secretary of State for the Home Department if he will place in the Library a copy of the discussion paper on possible changes to the control of firearms which was put before the Firearms Consultative Committee by its two police members referred to in chapter 3 of the fourth annual report of the Firearms Consultative Committee. [24082]

Mr. Maclean: Copies of the Firearms Consultative Committee's annual reports are in the Library. Chapter 3 and annex E of the committee's fourth annual report contained a summary of the proposals made in the discussion paper referred to. The release of individual papers submitted to the Firearms Consultative Committee is a matter for the committee and the authors of the paper.

Metropolitan Police (Civilian Officers)

Mr. Boateng: To ask the Secretary of State for the Home Department what representations were received by the Metropolitan Police service from interested parties or bodies about the decision to transfer the posts and duties of civilian enforcement officers to the inner and outer London magistrates courts. [23444]

Mr. Maclean: I understand from the Commissioner of Police of the Metropolis that his officials have received representations from the trade union side of the departmental Whitley council, the Public Services, Tax and Commerce Union, and that the Metropolitan police have liaised with the chair of the strategic management body for the outer London courts, a number of clerks for inner and outer London magistrates courts, the Lord Chancellor's Department, and the Association of Chief Police Officers.

Police National Computer

Mr. Spellar: To ask the Secretary of State for the Home Department, pursuant to his answer of 25 March, *Official Report,* column *406,* how many individual records for criminal convictions are held on the police national computer. [23537]

Mr. Maclean: Criminal record data held on the police national computer comprise 2.8 million records originating before 1981, which consist of name and criminal record office number and which are supported by microfiche records of convictions held by the national identification service, and 2.3 million records originating after 1981 which include details of convictions.

CS Gas

Mr. Cohen: To ask the Secretary of State for the Home Department what is the concentration of active agent used in the CS sprays currently on trial; what is the solvent used; and what is the total volume of liquid in each canister. [23563]

Mr. Maclean: The information is as follows: 5 per cent., methyl isobutyl ketone and 30 ccs.

Mr. Sheerman: To ask the Secretary of State for the Home Department if he will institute an urgent inquiry into the use of CS gas spray during an incident in Rank's south Wirral leisure park on 25 March. [23965]

Mr. Maclean: No. This is an operational matter for the chief constable, who is conducting an investigation.

Mr. Sheerman: To ask the Secretary of State for the Home Department (1) on how many occasions Merseyside police have used CS gas since its introduction on a trial basis in the Birkenhead division; [23963]

(2) on how many occasions CS spray has been used in each pilot area in the United Kingdom; [24711]

(3) on how many occasions CS spray has been used in the pilot areas after the initial arrest. [24709]

Mr. Maclean: Statistical information will be made available when the trials are complete.

Gamma Hydroxy Butyrate

Mr. Peter Griffiths: To ask the Secretary of State for the Home Department how many cases of the misuse of gamma hydroxy butyrate have been reported to his Department during the last 12 months; and if he will make a statement. [24140]

Mr. Sackville: There is no requirement to report cases of misuse of gammahydroxybutyrate to the Home Office and any reports to the Department of health's drug misuse databases are not at present recorded separately.

Mr. Griffiths: To ask the Secretary of State for the Home Department what representations his Department has received that gamma hydroxy butyrate be re-classified as a dangerous drug and added to the list of controlled substances. [24139]

Mr. Sackville: Since mid-1994 we have received seven letters, three questions from Members of Parliament and a similar small number of letters from members of the public about the classification of the drug under the Misuse of Drugs Act 1971.

Immigration

Mr. Henderson: To ask the Secretary of State for the Home Department how many non-EC nationals travelling to the United Kingdom from other EU member states were found by the United Kingdom immigration service to have inadequate travel or entry documentation in terms of United Kingdom requirements during 1995 *(a)* at Heathrow airport, *(b)* at the port of Dover, *(c)* on trains from Brussels or Paris, *(d)* at Waterloo station and *(e)* at Coquelles shuttle terminal; and how many in each category were refused leave to enter the United Kingdom. [24003]

Mr. Kirkhope: The information requested is as follows:

(a) The number arriving specifically from European Union airports is not readily available and could be obtained only at disproportionate cost.

(b) 1,526.

(c) Subsumed within the figure at (d) (all Paris and Brussels trains terminate at Waterloo; records are not maintained according to the place of embarkation).

(d) 1,218.

(e) All passengers travelling to the United Kingdom via Coquelles are seen by a United Kingdom immigration officer at Coquelles; those without adequate documentation are not permitted to travel.

Statistics relating to the number of passengers who arrive both without adequate documentation and who are also refused leave to enter are not readily available. Such information could be obtained only at disproportionate cost.

Mr. Henderson: To ask the Secretary of State for the Home Department how many £2,000 penalties were notified to carriers under the terms of the Immigration (Carriers Liability) Act 1987 in respect of non-EC nationals travelling to the United Kingdom from other EU member states who were found to have inadequate travel or entry documentation in terms of United Kingdom requirements during 1995 *(a)* at Heathrow airport, *(b)* at the port of Dover, *(c)* on trains from Brussels or Paris, *(d)* at Waterloo station and *(e)* at Coquelles shuttle terminal. [24098]

Mr. Kirkhope: The information requested is as follows:

(a) The number arriving specifically from European Union airports is not readily available and could be obtained only at disproportionate cost.

(b) 116.

(c) The provisions of the Act do not apply to channel tunnel traffic.

(d) The provisions of the Act do not apply to channel tunnel traffic.

(e) The provisions of the Act do not apply to channel tunnel traffic.

Deportations

Dr. Lynne Jones: To ask the Secretary of State for the Home Department how many people were deported in *(a)* January, *(b)* February and *(c)* March. [24426]

Mr. Kirkhope: The numbers of persons removed under the deportation process, including voluntary departures after deportation action had been initiated, in January and February 1996 were 149 in each month. In addition, 241 and 197 illegal entrants were removed, or

departed voluntarily, in the respective months. All the figures are provisional. The corresponding data for March are not yet available.

Winson Green Prison

Dr. Lynne Jones: To ask the Secretary of State for the Home Department how many of those people detained in HM prison Winson Green under Immigration Act powers during the months of January, February and March have been deported. [24425]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Alastair Papps to Lynne Jones, dated 3 April 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question asking, how many of those people detained in Birmingham prison under Immigration Act powers during the months of January, February and March have been deported.

There were 23 people discharged and deported from Birmingham prison in January and 22 in February. There is no information currently available for March.

Dr. Jones: To ask the Secretary of State for the Home Department how many people were detained in HM prison Winson Green, under Immigration Act powers in *(a)* January, *(b)* February and *(c)* March; and what were the nationalities of those detained. [24424]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Alastair Papps to Lynne Jones, dated 3 April 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question asking, how many people were detained in Birmingham prison under Immigration Act powers in (a) January, (b) February and (c) March; and what were the nationalities of those detained.

Information for 31 January and 29 February is given in the attached table. There is no information currently available for March.

Population of Immigration detainees at HM Birmingham on 31 January and 29 February 1996 by nationality[1]

Nationality	*Number* 31 January	29 February
Bangladesh	2	—
China	5	3
Algeria	2	6
India	27	25
Nigeria	4	5
Pakistan	6	9
Others	5	7
Total	51	55

[1] Provisional figures.

Dr. Jones: To ask the Secretary of State for the Home Department how many people who had at some stage applied for asylum were detained in HM prison Winson Green during *(a)* January, *(b)* February and *(c)* March; and what were the nationalities of those detained. [24423]

Mr. Kirkhope: The information requested is in the table.

Population of asylum detainees at HMP Birmingham on 31 January, 29 February and 29 March 1996 by nationality[1]

Nationality	*31 January*	*29 February*	*29 March*
Algeria	—	4	5
Bangladesh	2	—	2
China	6	4	—
India	22	16	14
Pakistan	8	9	7
Nigeria	2	2	—
Others	2	1	3
Total	42	36	31

[1] Estimated breakdown.

Doncaster Prison

Mr. Redmond: To ask the Secretary of State for the Home Department who are the current members of the race relations management team for Doncaster prison; in each case where is their place of *(a)* employment and *(b)* residence. [24489]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange a reply to be given.

Letter from Richard Tilt to Mr. Martin Redmond, dated 3 April 1996:

The Home Secretary has asked me to reply to your recent Question about the members of the race relations management team for Doncaster prison.

I attach a table with details of the employment and residence of the members of the race relations management team at Doncaster.

Name	*Employment*	*Residence*
J. Mandefield (Chairperson)	Premier Prisons Services (PPS), Operations Manager	HMP Doncaster
C. Barrett (Race Relations Liaison Officer)	PPS, Throughcare Coordinator	HMP Doncaster
Rev. I. Jennings Mr. Khan	PPS, Chaplaincy Imam	HMP Doncaster The Mosque, St. James' Street, Waterdale, Doncaster
D. Kirkham	South Yorkshire Probation Service, Senior Probation Officer	HMP Doncaster
S. Armiger	PPS, Catering Manager	HMP Doncaster
M. Samuels	South Yorkshire Probation Service	Arundel Gate, Sheffield
Ms Verma	Doncaster Council for Racial Equality	Doncaster Metropolitan Borough Council
D. King	Doncaster Council for Racial Equality	Doncaster Metropolitan Borough Council
J. Lewis	PPS, Nurse	HMP Doncaster
P. Etherington	Board of Visitors	HMP Doncaster

Metropolitan Police Art Theft Squad

Mr. Dalyell: To ask the Secretary of State for the Home Department how many full-time and part-time members of the police, and at what rank, worked in the art theft squad of the Metropolitan police at any convenient date in 1976, 1986, 1991 and 1996; and if he will make a statement. [23152]

Mr. Maclean: I understand that precise records are not available for 1976 but that the unit then employed a total of some 13 staff. The unit was not operating as such in 1986. In 1991 there were three staff, one of whom was a civilian. The present staffing is one detective sergeant, two detective constables and two civilian staff. I understand from the Commissioner of Police of the Metropolis that the name and remit of the art and antiques unit, originally the philatelic squad, has changed several times since its inception in 1968.

Buckley Hall Prison

Ms Lynne: To ask the Secretary of State for the Home Department if he will specify what *(a)* improvements and *(b)* other recommendations have been made by the Prison Service's regional area manager with respect to Buckley Hall prison; which have been implemented; and on what dates. [24168]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Alastair Papps to Ms Liz Lynne, dated 3 April 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the timing and implementation of improvements and other recommendations at Buckley Hall which have been made by the Prison Service area manager.

The area manager tours Buckley Hall prison in the company of the Director and Controller. During this tour he may make numerous verbal recommendations of an advisory nature. This is fully in keeping with the type of observations which he would make in any of the public sector prisons for which he is responsible. The Controller, who is present, ensures that recommendations are implemented.

Ms Lynne: To ask the Secretary of State for the Home Department (1) what is the present full complement of *(a)* part-time and *(b)* full-time staff by grade currently employed by Group 4 at Buckley Hall prison; [24172]

(2) what is the full complement of *(a)* part-time and *(b)* full-time staff by grade employed by Group 4 at the end of Buckley Hall prison's first year of operation; [24171]

(3) how many ex-Prison Service staff are currently employed by Group 4 at Buckley Hall; and at what grades; [24094]

(4) what has been the cost of damage to the building, fixtures and fittings as a result of disturbances and other incidents at Buckley Hall from the date of opening to the present time; and what proportion of these costs have been borne by *(a)* his Department and *(b)* Group 4. [24095]

Miss Widdecombe: Responsibility for these matters has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Ms Liz Lynne, dated 3 April 1996:

The Home Secretary has asked me to reply to your recent Questions about Buckley Hall prison.

The table below shows the complement of full-time and part-time staff (excluding sub-contractors) employed by Group 4 at Buckley Hall prison at the end of the first year of operation and currently.

Month	*Full-time staff*	*Part-time staff*
End December 1995	131	18
End March 1996	138	25

The previous employment of any staff at the prison is a matter for Group 4. Prison Service responsibility is limited to the certification of prisoner custody officers. However, I understand that seven staff who are currently employed at Buckley Hall prison have had previous employment in a public sector prison.

The Prison Service has borne no costs for damage to buildings, fittings and fixtures. I understand that Group 4 have spent £2,287 on materials at Buckley Hall in respect of damage incurred during reportable incidents.

Ms Lynne: To ask the Secretary of State for the Home Department (1) how many times, and in what circumstances, Group 4 has been financially penalised for failing to perform under the terms of its contract for Buckley Hall prison; [24096]

(2) how many times, and in what circumstances, default notices have been issued to Group 4 in respect of its performance at Buckley Hall; on how many occasions financial penalties have been levied in respect of default notices that have been issued; and if he will list in each case the reason for not levying financial penalties in respect of a default notice. [24093]

Miss Widdecombe: Responsibility for these matters has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Ms Liz Lynne, dated 3 April 1996:

The Home Secretary has asked me to reply to your recent Questions about improvement notices and financial penalties imposed on Group 4 in respect of Buckley Hall prison.

To date, no financial penalties have been imposed and four improvement notices have been issued. These relate to the standard of cleaning in the dining-room; the supervision of prisoners; the failure to provide an agreed number of industrial work places; and the provision of sentence plans and compacts for prisoners. Financial penalties have not been imposed because, in each case, the Prison Service has been satisfied that Group 4 has taken appropriate action to remedy the situation.

Ms Lynne: To ask the Secretary of State for the Home Department what plans there are for a full inspection of Buckley Hall prison by Her Majesty's chief inspector of prisons; and what is the intended date of this visit. [24169]

Miss Widdecombe: A full inspection of Buckley Hall prison will be undertaken in the first half of 1997. This is in accordance with the policy of Her Majesty's chief inspector of prisons that all new prisons should be

operational for some two years before being fully inspected: this is to allow processes and systems to become established.

Ms Lynne: To ask the Secretary of State for the Home Department how many members of the Prison Service visited Buckley Hall prison on the 25 March; what were the grades of the Prison Service members; what was the purpose of the visits; and what conclusions were drawn by members of the Prison Service. [24173]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Ms Liz Lynne, dated 3 April 1996:

The Home Secretary has asked me to reply to your recent Question about the purpose, grades and conclusions drawn by members of the Prison Service who visited Buckley Hall on 25 March.

The monthly progress planning meeting group was held on 25 March at Buckley Hall prison and was attended by Mr T A Bone, Area Manager for the Trans Pennine area; Mr S Eley, governor 3; and Mrs R Simpson, grade 7, of the Contracts and Competition Group at Prison Service headquarters.

The purpose of the meeting was to monitor the contract.

No specific conclusions were made.

Ms Lynne: To ask the Secretary of State for the Home Department if he will list the incidents which have occurred at Buckley Hall prison that have been reported to the Prison Service. [24170]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Ms Liz Lynne, dated 3 April 1996:

The Home Secretary has asked me to reply to your recent Question asking for a list of the incidents which have occurred at Buckley Hall prison that have been reported to the Prison Service.

The attached table shows the number and types of incidents reported from 14/12/94 to 29/2/96 inclusive.

Incident type	*Number of incidents*
Abscond	4
Assault	19
Self harm	2
Attempted escape from escort	2
Attempted escape	3
Concerted indiscipline	7
Drugs	26
Escape	2
Escape from escort	2
Fire	3
Temporary release failures	30
Key lock compromise	1
Miscellaneous	3
Recaptures surrenders	9
Rooftop demonstrations	2
Tool loss	2
Total	117

Ms Lynne: To ask the Secretary of State for the Home Department in what terms the original signed contract between the Prison Service and Group 4 for the running of Buckley Hall prison has been amended. [24277]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Ms Liz Lynne, dated 3 April 1996:

The Home Secretary has asked me to reply to your recent Question about amendments to the contract between the Prison Service and Group 4 for the running of Buckley Hall prison.

The changes made are described in the attached table.

Amendment number	*Date of amendment*	*Subject of amendment*
1(T)	22 November 1994	Extension of period for negotiation of Performance Measurement System
2 (S/T)	20 October 1996	Changes in procedures for visits, including the introduction of a requirement for prisoners to wear identification bibs, and to correct a typographical error
3 (T)	20 October 1996	Change of Prison Service representatives who are authorised to amend contract
4 (S)	16 January 1996	Incorporation of a Performance Measurement system and consequential change in amount of maximum penalty points, in any period of 12 months
5 (T)	7 March 1996	Clarification of arrangements for adjusting payments in the light of penalty points accrued under the Performance Measurement system

KEY: "S" = amendment requires a significant change in service "T" = amendment is of a technical nature, that is it clarifies or corrects the text or introduces new names and addresses, etc.

Ms Lynne: To ask the Secretary of State for the Home Department, pursuant to his answer of 19 March, *Official Report*, column *154*, on smuggling into Buckley Hall prison, *(a)* what is the estimated cost of the additional fencing and the possible installation of external cameras, *(b)* who will be responsible for payment of such extra security measures and *(c)* who was responsible for the design of the initial prison fence. [24298]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison

Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Ms Liz Lynne, dated 3 April 1996:

The Home Secretary has asked me to reply to your recent Question about the cost of additional fencing and installation of external cameras at Buckley Hall, as well as both the responsibility to pay for this extra security and the design of the initial prison fence.

The cost of additional cameras and fencing will be incurred by Group 4.

The initial prison fence is standard Prison Service design for category C prisons.

Ms Lynne: To ask the Secretary of State for the Home Department what investigations his Department will carry out into recent allegations about absconding by prisoners at Buckley Hall prison who have been given cleaning tasks outside the prison. [24299]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Ms Liz Lynne, dated 3 April 1996:

The Home Secretary has asked me to reply to your recent Question about whether an investigation would be carried out into recent allegations about absconding by prisoners at Buckley Hall prison who have been given the cleaning tasks outside the prison.

The Controller considered it unnecessary to carry out an investigation. The only prisoner to abscond from an outside work area had, up to the time of this incident in December, been a model prisoner, with the lowest security classification.

Ms Lynne: To ask the Secretary of State for the Home Department what proposals there are for an investigation to be carried out into the prisoner who was recaptured in the car park of Buckley prison; if this incident was classified as an escape attempt; and what penalty was imposed on Group 4 following this incident. [24300]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Ms Liz Lynne, dated 3 April 1996:

The Home Secretary has asked me to reply to your recent Question about whether an investigation would be carried out into the circumstances of the recapture of a prisoner in the car park at Buckley Hall prison; if the incident would be classified as an escape attempt; and if a penalty would be imposed on Group 4.

The Prison Service Controller carried out an investigation into the recapture of a prisoner in the car park at Buckley Hall prison. the Prisoner was charged under Prison Rule 47, paragraph 7, escaping from prison custody. He was found guilty and warded the maximum penalty of 42 added days.

Group 4 have not been penalised.

Bosnian Refugees

Mr. Bennett: To ask the Secretary of State for the Home Department how many refugees from Bosnia have been convicted of criminal offences in the United Kingdom; and how many have been deported as a result of conviction. [24042]

Mr. Kirkhope: The information requested is not held centrally.

Category C Prisoners

Ms Lynne: To ask the Secretary of State for the Home Department what is the number of prisoners who have failed to return from authorised leave from each male category C prison and have subsequently been caught or returned voluntarily since 14 December 1994. [24097]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Ms Liz Lynne, dated 3 April 1996:

The Home Secretary has asked me to reply to your recent Question asking the number of prisoners who have failed to return from authorised leave from each male category C prison and have subsequently been caught or returned voluntarily since 14 December 1994.

The attached table shows the relevant information from 14 December 1994 to 29 February 1996 inclusive.

Prison	*Number of prisoners*
Acklington	11
Aldington	1
Ashwell	3
Blantyne House	3
Brockhill	1
Buckley Hall	21
Camp Hill	10
Channings Wood	6
Coldingley	20
Downview	25
Erlestoke	22
Everthorpe	13
Featherstone	16
Guys Marsh	4
Haverigg	6
Highpoint	2
Kirklevington	19
Lancaster	4
Latchmere House	11
Lindholme	15
Littlehey	10
The Mount	6
Ranby	9
Risley	21
Send	13
Shepton Mallet	9
Stafford	4
Stocken	17
Usk	3
The Verne	3
Wayland	8
Wealstun	15
Wellingborough	7

Regulations

Mr. Steen: To ask the Secretary of State for the Home Department which of the 1,000 regulations identified for

repeal or amendment by the Prime Minister are the responsibility of his Department; of those, which *(a)* have been repealed or amended and *(b)* are planned to have been repealed or amended by the end of the 1995–96 parliamentary Session; and if he will list those whose repeal has saved business more than £1 million per annum. [23658]

Mr. Howard *[holding answer 2 April 1996]:* I refer my hon. Friend to the answer given by my right hon. Friend the Chancellor of the Duchy of Lancaster on 2 April, *Official Report*, column *85*.

EDUCATION AND EMPLOYMENT

Mature Students

Mr. Kevin Hughes: To ask the Secretary of State for Education and Employment how many mature students currently enter higher education in the Yorkshire and Humberside area; and what was the figure in each year since 1986. [23831]

Mr. Forth: The available information is given in the following table:

Mature[1] entrants to higher education in Yorkshire and Humberside[2]

Academic year	*Number*
1987–88	15,395
1988–89	17,211
1989–90	18,034
1990–91	19,587
1991–92	23,324
1992–93	25,707
1993–94	26,427
1994–95 (provisional)	29,740

[1] Those aged 21 and over on an undergraduate course, and those aged 25 and over on a postgraduate course. Data for ex Universities Funding Council institutions are for full-time home entrants only throughout the time series.
[2] Entrants to institutions located in Yorkshire and Humberside.

EDS Ltd.

Mr. Redmond: To ask the Secretary of State for Education and Employment what savings to date have been made by her Department as a result of out-sourcing arrangements made with EDS computer system; what assessment she has made of the equivalent costs for carrying out this work in house; and if she will make a statement. [24239]

Mr. Robin Squire: The Department has made no out-sourcing arrangements for computer systems with EDS.

Barnsley and Doncaster TEC

Mr. Redmond: To ask the Secretary of State for Education and Employment how many days were taken over the European social fund audit at Barnsley and Doncaster training and enterprise council; what was the cost; and if she will make a statement. [24492]

Mr. Forth: The last visit to Barnsley and Doncaster training and enterprise council was made by auditors from Directorate General V of the European Commission in October 1993. The audit took one day to complete. Information on costs is not available.

Higher Education Expenditure

Mr. Cousins: To ask the Secretary of State for Education and Employment if he will list the public expenditure per higher education student in cash and real terms for the years *(a)* 1993–94, *(b)* 1994–95 *(c)* 1995–96 and *(d)* planned for 1996–97, 1997–98 and 1998–99 (i) in total, (ii) on student support costs, (iii) on tuition costs and (iv) in capital expenditure terms; and if she will list these figures for the universities of (1) Teeside, (2) Sunderland, (3) Durham, (4) Northumbria and (5) Newcastle upon Tyne. [23702]

Mr. Forth: The total public expenditure per higher education student is set out in the tables. Information is not readily available for individual universities.

Public expenditure per student in cash terms (£)

	Actual		*Planned*			
Year	*1993–94*	*1994–95*	*1995–96*	*1996–97*	*1997–98*	*1998–99*
Total	6,519	6,655	6,681	6,501	6,368	6,271
Student support	1,505	1,691	1,732	1,692	1,631	1,571
Teaching and research	4,649	4,622	4,589	4,560	4,512	4,518
Capital	365	342	360	249	225	182

Public expenditure per student in cash terms (£)

£, 1995–96 prices

	Actual		*Planned*			
Year	*1993–94*	*1994–95*	*1995–96*	*1996–97*	*1997–98*	*1998–99*
Total	6,786	6,805	6,681	6,327	6,046	5,824
Student support	1,567	1,729	1,732	1,647	1,549	1,458
Teaching and research	4,840	4,726	4,589	4,438	4,284	4,196
Capital	380	350	360	242	214	169

Capital Spending

Mr. Cousins: To ask the Secretary of State for Education and Employment if she will list in rank order of spending per pupil the initial Government borrowing allocation for education capital spending for the years *(a)* 1994–95, *(b)* 1995–96 and *(c)* 1996–97 for each local education authority. [23703]

Mrs. Gillan: Education annual capital guidelines totals for 1994–95 and 1995–96, pupil numbers in county and voluntary controlled schools at January 1994 and January 1995, and ACG cover per pupil are given in the following tables, in descending order. Pupil numbers for January 1996 are not yet available. Apart from small amounts for local education authority liability at voluntary-aided schools, ACGs cover capital work at county and controlled schools only. Bids are assessed against clear priority criteria, which are not based on pupil numbers, and the ACG cover is used for particular schools, not spread across all schools in the LEA.

Amounts actually spent by LEAs on capital work at their schools will differ from their ACG totals and full details are not yet available. In many cases the amount is somewhat higher than the ACG.

Full-time equivalent pupil numbers in maintained schools: by status January 1995

LEA	County and controlled school pupils	1995–96 ACG	ACG per pupil (£)
Corporation of London	0	0	0
Tower Hamlets	26,992	12,131	449
Manchester	48,254	17,190	356
Isle of Wight	16,042	4,693	293
Gloucestershire	43,385	10,611	245
Salford	27,553	5,625	204
Wakefield	44,139	8,704	197
East Sussex	76,363	15,026	197
Wandsworth	15,384	2,994	195
Redbridge	28,302	5,132	181
Lincolnshire	58,617	9,867	168
Shropshire	53,155	7,423	140
Kent	157,204	21,248	135
Isles of Scilly	283	37	131
Haringey	22,851	2,713	119
Buckinghamshire	80,147	9,245	115
Enfield	29,591	3,234	109
Sutton	15,226	1,660	109
Barnsley	30,446	3,314	109
Calderdale	20,824	2,193	105
Sunderland	41,972	4,159	99
Liverpool	46,313	4,576	99
Oxfordshire	69,041	6,767	98
Newcastle upon Tyne	32,247	3,093	96
Devon	124,546	11,627	93
Coventry	38,729	3,587	93
Suffolk	87,261	7,676	88
Cumbria	47,078	4,105	87
Tameside	27,659	2,403	87
Cambridge	77,288	6,669	86
Hereford and Worcester	81,968	6,865	84
Barking and Dagenham	23,420	1,899	81
Essex	120,824	9,668	80
Hampshire	187,546	14,762	79
Wigan	26,836	2,066	77
Waltham Forest	26,912	2,028	75
Avon	123,775	9,318	75
Cleveland	80,588	6,051	75
Bradford	67,689	5,076	75
Hounslow	27,341	2,035	74
Birmingham	130,472	9,210	71
Harrow	23,742	1,644	69
Surrey	81,449	5,545	68
Solihull	26,723	1,805	68
St. Helens	19,028	1,236	65
Sheffield	65,160	4,177	64
Lewisham	24,024	1,540	64
Croydon	29,173	1,860	64
Sefton	28,433	1,698	60
Cornwall	63,432	3,719	59
Barnet	24,050	1,408	59
North Tyneside	26,353	1,520	58
Lancashire	141,422	8,105	57
Oldham	29,455	1,660	56
Knowsley	16,632	935	56
Cheshire	123,181	6,657	54
Bromley	24,877	1,335	54
Dorset	62,871	3,340	53
Gateshead	24,669	1,306	53
Bexley	27,693	1,420	51
Camden	11,822	570	48
Wiltshire	60,029	2,786	46
Wirral	41,344	1,912	46
Northamptonshire	75,616	3,454	46
Somerset	58,597	2,608	45
Durham	82,146	3,545	43

Full-time equivalent pupil numbers in maintained schools: by status January 1995

LEA	County and controlled school pupils	1995–96 ACG	ACG per pupil (£)
Kingston upon Thames	11,710	487	42
Merton	16,675	681	41
North Yorkshire	92,632	3,647	39
South Tyneside	21,042	827	39
Humberside	132,267	4,994	38
Norfolk	86,063	3,122	36
Derbyshire	111,327	4,031	36
Ealing	24,743	,891	36
Southwark	21,250	740	35
Northumberland	44,157	1,499	34
Wolverhampton	33,482	1,087	32
Hillingdon	14,986	475	32
Leicestershire	126,622	3,845	30
West Sussex	81,151	2,400	30
Bolton	30,243	884	29
Bury	20,224	557	28
Kirklees	54,199	1,455	27
Trafford	23,420	575	25
Lambeth	16,488	389	24
Newham	36,114	829	23
Leeds	93,362	2,081	22
Berkshire	89,641	1,961	22
Stockport	35,801	736	21
Bedfordshire	71,608	1,455	20
Warwickshire	56,193	1,074	19
Greenwich	28,879	487	17
Kensington and Chelsea	4,822	67	14
Dudley	38,032	499	13
Hackney	18,691	241	13
Rochdale	23,607	301	13
Nottinghamshire	136,029	1,677	12
Walsall	35,091	430	12
Islington	17,316	207	12
Doncaster	45,148	536	12
Brent	16,968	179	11
Hertfordshire	112,070	1,109	10
Hammersmith and Fulham	9,238	91	10
Staffordshire	143,972	1,291	9
Richmond upon Thames	14,178	121	9
Havering	26,694	199	7
Rotherham	39,405	267	7
Sandwell	45,137	275	6
Westminster	7,857	40	5

Office of Standards in Education Report

Mr. Cousins: To ask the Secretary of State for Education and Employment if she will list *(a)* the name, type and pupil number of each school that has failed an Ofsted report, by local education authority of location, *(b)* the number of requests to suspend an Ofsted report on grounds of (i) actual or (ii) possible closure by name, type and pupil number of each such school listed, by local education authority of location, and *(c)* if each such request was granted. [23704]

Mr. Robin Squire: This is a matter for Her Majesty's Chief Inspector of Schools, who heads the Office for Standards in Education. I have asked Mr. Chris Woodhead to write to the hon. Member.

Education Authority Expenditure

Mr. Cousins: To ask the Secretary of State for Education and Employment if she will place the non-London

metropolitan local education authorities in rank order of expenditure per pupil at *(a)* primary and *(b)* secondary level for the years (i) 1993–94, (ii) 1994—95, (iii) 1995–96 and (iv) 1996–97. [23705]

Mr. Robin Squire: The following tables show net institutional expenditure per pupil in metropolitan councils in *(a)* pre-primary and primary and *(b)* secondary local education authority maintained schools in 1993–94 and 1994–95, the latest year for which outturn figures are available.

Net institutional expenditure per pupil—metropolitan councils (cash terms) 1993–94

LEA	*£*
Pre-primary and primary	
Rochdale	1,307
Wolverhampton	1,357
Doncaster	1,307
Trafford	1,428
Bury	1,432
Wigan	1,437
Tameside	1,442
Sefton	1,448
South Tyneside	1,463
Stockport	1,466
North Tyneside	1,469
Knowsley	1,485
Dudley	1,490
Salford	1,505
Sunderland	1,509
Barnsley	1,539
Manchester	1,547
Wirral	1,552
Birmingham	1,572
Sheffield	1,573
Solihull	1,574
Wakefield	1,577
Kirklees	1,579
Bolton	1,581
Liverpool	1,586
St. Helens	1,605
Calderdale	1,607
Oldham	1,645
Leeds	1,647
Bradford	1,654
Gateshead	1,664
Walsall	1,672
Sandwell	1,681
Coventry	1,684
Newcastle upon Tyne	1,697
Rotherham	1,723
Secondary	
South Tyneside	1.948
Bradford	1,969
Rochdale	1,974
Bury	1,979
North Tyneside	1,995
Doncaster	2,022
Tameside	2,095
Dudley	2,098
Barnsley	2,101
Sunderland	2,114
Sheffield	2,119
Bolton	2,119
Wigan	2,141
Wakefield	2,150
Trafford	2,156
Calderdale	2,162
Leeds	2,164
Newcastle upon Tyne	2,187
Sefton	2,204
Kirklees	2,207
Salford	2,215
Solihull	2,217
Knowsley	2,243
Gateshead	2,252
Rotherham	2,271
Oldham	2,278
Walsall	2,281
Wirral	2,299
Wolverhampton	2,300
Stockport	2,310
St. Helens	2,315
Manchester	2,328
Birmingham	2,330
Sandwell	2,349
Coventry	2,469
Liverpool	2,613

Net institutional expenditure per pupil—metropolitan councils (cash terms) 1993–94

LEA	*£*
Pre-primary and primary	
Doncaster	1,444
Tameside	1,447
Wigan	1,474
Trafford	1,477
Sefton	1,487
Bury	1,492
Salford	1,507
St. Helens	1,521
Barnsley	1,550
Rochdale	1,552
Manchester	1,558
Stockport	1,566
Wirral	1,567
Knowsley	1,575
Dudley	1,575
Sunderland	1,576
Wakefield	1,590
Solihull	1,605
Kirklees	1,607
Sheffield	1,612
Oldham	1,621
South Tyneside	1,623
Liverpool	1,634
North Tyneside	1,636
Gateshead	1,638
Leeds	1,645
Bolton	1,646
Wolverhampton	1,648
Calderdale	1,651
Newcastle upon Tyne	1,660
Walsall	1,664
Sandwell	1,666
Bradford	1,681
Coventry	1,705
Rotherham	1,719
Birmingham	1,721
Secondary	
Doncaster	2,025
Bury	2,032
Bradford	2,041

1994–95

LEA	
Wakefield	2,046
Tameside	2,046
South Tyneside	2,062
Barnsley	2,102
Calderdale	2,104
Sheffield	2,110
Wigan	2,130
Sunderland	2,142
North Tyneside	2,145
Salford	2,151
Stockport	2,152
Dudley	2,205
Rotherham	2,220
Leeds	2,223
Rochdale	2,225
Solihull	2,225
Sefton	2,227
Knowsley	2,227
Sandwell	2,224
St. Helens	2,247
Kirklees	2,256
Gateshead	2,257
Bolton	2,261
Oldham	2,293
Wirral	2,294
Walsall	2,314
Newcastle upon Tyne	2,314
Trafford	2,319
Wolverhampton	2,341
Birmingham	2,356
Coventry	2,418
Manchester	2,435
Liverpool	2,603

Mr. Cousins: To ask the Secretary of State for Education and Employment if she will place the non-London metropolitan local education authorities in rank order of administrative expenditure per pupil for the years 1994–95 and 1995–96. [23706]

Mr. Squire: The following table shows administrative expenditure per pupil as returned by the metropolitan councils for 1994–95, the latest year for which outturn figures are available.

Metropolitan Councils—Administrative costs per pupil

1994–95 *LEA*	*Gross expenditure Cost per pupil £*
North Tyneside	53
Trafford	60
Sunderland	73
Barnsley	74
St. Helens	81
Wolverhampton	81
Wigan	82
Solihull	82
Wakefield	89
Stockport	89
Dudley	91
Doncaster	93
Sefton	94
Rotherham	95
Bradford	96
Calderdale	97
Sandwell	99
Liverpool	99
Leeds	100

Metropolitan Councils—Administrative costs per pupil

1994–95 *LEA*	*Gross expenditure Cost per pupil £*
Rochdale	102
Bury	104
Tameside	108
Wirral	108
Walsall	110
Oldham	112
Sheffield	114
South Tyneside	114
Birmingham	118
Manchester	125
Gateshead	135
Bolton	136
Knowsley	136
Newcastle upon Tyne	137
Coventry	146
Kirklees	146
Salford	204

Computers

Mr. David Atkinson: To ask the Secretary of State for Education and Employment if she will make a statement on the problem of non-recognition by computers of the year 2000 with regard to her Department's computers and those for which it is responsible. [24410]

Mr. Robin Squire: Officials who take responsibility for the Department's computer systems are keenly aware of the potential difficulties presented by the year 2000. During the coming months they will undertake a thorough audit of the software to establish the scale of the problem. They will then prepare and execute a plan of action to overcome them using, where necessary, advice from the Central Computer and Telecommunications Agency and suppliers.

Waste Minimisation

Ms Ruddock: To ask the Secretary of State for Education and Employment if she will make a statement on progress in establishing an office waste minimisation strategy for her Department, indicating the targets set. [24504]

Mr. Robin Squire: The former Education and Employment Departments both had established "green housekeeping" strategies consistent with their business needs. Waste minimisation forms an important part of the DFEE integrated strategy, but specific targets have not been set.

Student Loans Company

Mr. Lidington: To ask the Secretary of State for Education and Employment what is the status of the Student Loans Company. [25122]

Mr. Forth: Following a report by the National Audit Office, and with the agreement of its board, the Student Loans Company has been designated as a non-departmental public body with effect from 1 April 1996.

School Buildings

Mr. Malcolm Bruce: To ask the Secretary of State for Education and Employment what is her present estimate of the monetary value of the backlog of school buildings repair and maintenance. [22787]

Mrs. Gillan *[holding answer 26 March 1996]:* It is for local education authorities and school governors to assess the need for maintenance work in respect of school premises which they own and maintain.

Firlands Training Ltd.

Mr. Morgan: To ask the Secretary of State for Education and Employment what steps she has taken to obtain information from the Department of Trade and Industry concerning its investigation of Firlands Training Ltd. under section 447 of the Companies Act into the liquidation of AST in 1995 and the fitness of its directors and other persons to be directors of public companies. [24431]

Mr. Paice *[holding answer 2 April 1996]:* It is not the policy of the Department for Education and Employment to comment on the affairs of individual companies.

Dance Training

Mr. Mackinlay: To ask the Secretary of State for Education and Employment how many students were pursuing vocational training in dance *(a)* in 1979 and *(b)* in each of the past five years; and if she will make a statement. [23461]

Mr. Paice *[holding answer 2 April 1996]:* Information is not available for 1979. The number of students enrolled on further or higher education courses in dance in each year from November 1990 to 1993 is shown in the following table:

November	*Number of students enrolled on FE or HE courses in dance*
1990	6,600
1991	8,600
1992	7,100
1993	7,800

These figures exclude students in universities formerly funded by the Universities Funding Council, although the number of these students is likely to be small.

Directly comparable information for November 1994 is not available because of changes to the data collection systms for further and higher education students. However, the indications are that the number of dance students was broadly unchanged from 1993.

General National Vocational Qualifications

Mr. Bryan Davies: To ask the Secretary of State for Education and Employment how many pre-16 students have begun GNVQ courses or have undertaken the GNVQ part one. [24366]

Mr. Paice *[holding answer 2 April 1996]:* Information on the total number of pre-16 students studying GNVQ courses is not held centrally. Some 6,000 students are currently studying part 1 GNVQ pilot courses.

Staff (Hourly Rates)

Mr. Gordon Prentice: To ask the Secretary of State for Education and Employment what is the lowest hourly rate for *(a)* full-time and *(b)* part-time staff employed (i) by central Government and (ii) by next steps agencies. [21481]

Mr. Jack: I have been asked to reply.

Two thirds of civil servants have their pay determined in 1995–96 under delegated arrangements, for which information on pay rates is not held centrally. The following figures relate to pay rates agreed under national arrangements.

The lowest national civil service pay rate is £4,669 per year for an administrative assistant and typist, aged 16 years. This is £2.43 per hour based on a net 37-hour week. Very few staff will be on this pay point. Aside from age points, the lowest national civil service pay rate is £6,928 for the administrative assistant grade, or £3.60 per hour for a net 37-hour week.

TRADE AND INDUSTRY

Export Controls

Mr. Cousins: To ask the President of the Board of Trade if he will list *(a)* the number and countries of destinations of licences approved under each heading of the Export of Goods Control Orders 1994, part III, group I and *(b)* the number and countries of destination of licences refused under each heading. [22654]

Mr. Oppenheim: Statistical analyses of export licences granted for military, paramilitary and security equipment during 1993, 1994 and 1995, with details of refusals in these categories in 1995, have been placed in the Library of the House. Details of licences refused for these categories of equipment in 1993 and 1994 are set out in the annual reports of the export control organisation of the Department of Trade and Industry for those years, which are also available in the Library of the House.

Mr. Cousins: To ask the President of the Board of Trade how many applications for export licences were received under headings ML4, ML18 and PL5027 of the Export of Goods Control Order 1994 and how many were *(a)* granted and *(b)* refused. [24201]

Mr. Oppenheim: I refer the hon. Member to my answer of today to his related question.

Contracts

Mr. Donohoe: To ask the President of the Board of Trade how many contracts for goods or services have been awarded by his Department and its executive agencies on the basis of single negotiated contracts in each of the last three years; if he will list the companies involved and the value of the contract in each case; what percentage this represented of contracts awarded by his Department and its agencies after competitive tendering; and, in each case, why the contracts were awarded on the basis of a single negotiated tender. [22863]

Mr. John M. Taylor: Information relating to contracts is not held centrally and can be provided only at disproportionate cost.

The chief executives of the Department's existing executive agencies have been asked to respond separately.

Data in respect of the former National Physical Laboratory, National Engineering Laboratory and Warren Springs Laboratory executive agencies are no longer readily available.

Letter from Peter Joyce to Mr. Brian Donohoe, dated 29 March 1996:

The President of the Board of Trade has asked me to reply to your question concerning the number of contracts for goods or services awarded by The Insolvency Service on the basis of single negotiated contracts in the last three years, the companies involved and the values of the contracts, and why the contracts were awarded on this basis.

In the last three years The Service has awarded only one contract using the single negotiated tender procedure. In February 1994 Stoy Hayward were awarded the contract to undertake a feasibility study to assess the scope for private sector involvement in the case administration work of Official Receivers. The company had recently completed a pre-feasibility study of this matter and it was therefore considered appropriate to utilise the knowledge and understanding gained from their initial research in undertaking the second stage of the project. The value of the contract amounted to £72,263 (inc VAT).

Information regarding the percentage this contract represented of total contracts awarded by competitive tendering could only be provided at disproportionate cost given the number of contracts awarded by the Insolvency Service across its 33 sites.

Letter from David Durham to Mr. Brian Donohoe, dated 29 March 1996:

The President of the Board of Trade, the Rt Hon Ian Lang asked me to reply to your question about contracts awarded for goods and services on the basis of single negotiated contracts during the last 3 financial years by Companies House Executive Agency.

We have only examined contracts with a value of more than £10,000 since this is threshold above which, under DTI guidelines, competitive tendering is generally undertaken.

During the period there were two single negotiated contracts compared to a yearly average of 25 contracts awarded after competitive tendering.

The detailed information you sought is as follows:

Financial year	*Company name*	*Goods/Services*
1993/94	Guardian Computer Services	Disaster standby services
1994/95	Rank Xerox	4890 Laser Printer

The reasons for single tender action were respectively that in the first case the company was, as far as we were able to establish, the only one in the field providing disaster standby services for ICL 2980 mainframe computer systems; and in the second case that any other source would have required existing investment in printer driving software and data to be replaced.

In relation to contract value, it is not the Department's practice to disclose individual contract values, on grounds of commercial confidentiality. However, I can say that the combined value of the two contracts was approximately £450,000.

Letter from P. R. S. Hartnack to Mr. Brian Donohoe, dated 29 March 1996:

I am replying for the Patent office to your question to the President of the Board of Trade about the number of single negotiated contracts awarded in the last three years.

The single negotiated contract procedure is used only rarely for purchases over £10,000 when urgency, monopoly supplier or other factors demand it. In 1994/5 Peter Prowse Associates, a PR company with intellectual property experience, was appointed to help in advertising activities at a cost of £75,000, and after advice was sought from other Government Departments a CCTV security camera system was purchased from Sensormatic CamEra Ltd for £100,000 to help control an increase in thefts from motor vehicles from the Office's headquarters site. In 1995/6 £80,000 was spent with Sun Microsystems to provide access to Internet since the Patent Office had standardised on SUN UNIX equipment. A Docuprint print engine was also purchased in 1995/6 for £105,000 from Rank Xerox as part of an IT development project.

Letter from Jim Norton to Mr. Brian Donohoe, dated 29 March 1996:

The President of the Board of Trade has asked me to reply to your Parliamentary Question about single tender action. I regret that the information you requested can only be provided at disproportionate cost.

Letter from R. D. Worswick to Mr. Brian Donohoe, dated 29 March 1996:

The President of the Board of Trade has asked me to reply to your question about contracts awarded by the Laboratory of the Government Chemist (LGC) on the basis of single negotiated contracts in each of the last three years.

LGC follows a procedure based on the principles set out in the DTI's Procurement Manual for purchasing goods and services which forms part of its quality system accredited to BS EN ISO 9001. Single negotiated tendering would only be used where the nature of the goods or services makes competitive tendering pointless (and would need to be justified in writing by the person authorising the expenditure), except in the case of low value purchases (where likelihood of repeat orders also becomes a consideration). However the specific information you request cannot be provided without considerable expenditure of effort at disproportionate cost to the Laboratory.

Electro-shock Equipment

Mrs. Clywd: To ask the President of the Board of Trade on what occasions *(a)* Security Defence Marketing Services and *(b)* Compass Safety International have (i) requested and (ii) been granted an export or transhipment licence with regard to electro-shock batons. [23026]

Mr. Oppenheim: It has been the practice of successive Administration not to reveal details of applications for export licences or export licences. However, in view of the current public interest in the matter, I am prepared, by way of exception, to confirm that, from 1991, the point from which records are readily available, there were no such occasions.

Mrs. Clwyd: To ask the President of the Board of Trade, pursuant to his answer of 2 March 1996, *Official Report*, column *716*, what was the country of origin and receipt for the 1993 licence for the transhipment of electronic batons. [23028]

Mr. Oppenheim: I refer the hon. Member to the Minister for Science and Technology's letter to her of

3 August 1995 in response to her question tabled on 17 July 1995. For the reason given in that letter, I am not prepared to release any further details about this matter.

Mrs. Clwyd: To ask the President of the Board of Trade to what extent human rights considerations were taken into account before the granting of transhipment licences for electro-shock equipment in 1993. [23027]

Mr. Oppenheim: The same consideration was given to this application as applies to all others.

Parcel Force

Mr. Kirkwood: To ask the President of the Board of Trade if Parcelforce has a monopoly on foreign parcels coming into the United Kingdom from overseas; and what responsibility they have for claims for loss or damage. [23403]

Mr. Oppenheim: Parcelforce has a monopoly on foreign parcels that enter the UK under Universal Postal Union arrangements. Claims for loss and damage on items for delivery by Parcelforce in the UK would normally be settled by the overseas post office. Parcelforce would pay claims on any items posted in the UK for delivery abroad.

Mr. Kirkwood: To ask the President of the Board of Trade what obligations are placed on Parcelforce to deal with complaints and claims for loss or damage to parcels posted to the United Kingdom from overseas. [23402]

Mr. Oppenheim: The Universal Postal Union parcels agreement specifies how claims for loss or damage for incoming international parcels posted to the UK should be handled. The Post Office is a party to the agreement and its procedures for claims for such parcels comply with it.

Meat Industry (Job Losses)

Ms Walley: To ask the President of the Board of Trade what estimate he has made in respect of *(a)* Staffordshire and *(b)* each other county of the number of (i) temporary and (ii) permanent job losses in the meat industry following the recent developments in respect of bovine spongiform encephalopathy. [24101]

Mr. John M. Taylor: At the moment, no estimate has been made by my Department.

Birds Eye Walls

Mr. Nigel Griffiths: To ask the President of the Board of Trade (1) what steps he will take to ensure that the Monopolies and Mergers Commission delivers to his officials investigating Birds Eye Walls provision of misleading information, all necessary papers, including transcripts of oral evidence, relating to the 1994 investigation into ice cream; [24458]

(2) if he will now refer Birds Eye Walls to the Director of Public Prosecutions in respect of the ice cream market. [24457]

Mr. John M. Taylor: I am satisfied with the co-operation which I am already receiving from the Monopolies and Mergers Commission. Any criminal investigation that might be required will be undertaken by my Department and not by the Director of Public Prosecutions.

Guinness plc

Mr. Maxton: To ask the President of the Board of Trade when he plans to publish the report drawn up by the inspectors from his Department into the affairs of Guinness plc following their appointment by his predecessor in December 1986. [24356]

Mr. John M. Taylor: The inspectors have not yet completed their inquiries into the membership and affairs of Guinness plc and in consequence are not in a position to submit a final report. When they are, it will be carefully considered for publication.

Unregulated Gasoline

Dr. Michael Clark: To ask the President of the Board of Trade if he will make a statement on the sale from garage forecourts of lead replacement gasoline not regulated by a specific British standard. [24810]

Mr. Page: At the time of the last Budget, the Government decided to remove most of the excise duty advantage from higher octane unleaded petrols, which include lead replacement gasoline. The drafting of British standards is the responsibility of the British Standards Institution, BSI.

Waste Minimisation

Ms Ruddock: To ask the President of the Board of Trade if he will make a statement on progress in establishing an office waste minimisation strategy for his Department, indicating the targets set. [24512]

Mr. Page: The Department plans to commission an independent study to improve existing information about office waste with a view to setting a waste minimisation target by the end of this year for its headquarters offices.

Nuclear Fuel (Reprocessing)

Mr. Purchase: To ask the President of the Board of Trade what assessment he has made of the *(a)* direct and *(b)* incidental costs of processing spent fuel from advanced gas-cooled reactors. [24707]

Mr. Page: The terms for the reprocessing of spent advanced gas-cooled reactor—fuel are a commercial matter for British Nuclear Fuels Ltd.—Nuclear Electric Ltd. and Scottish Nuclear, the companies with which BNFL has contracted to do this work. The accounts for Nuclear Electric plc and Scottish Nuclear for 1994–95, the latest available year, show the amounts provided for this work.

Mr. Purchase: To ask the President of the Board of Trade if the full financial liability for processing all spent advanced gas-cooled reactor fuels will fall on the owners of the advanced gas-cooled reactor stations following privatisation. [24706]

Mr. Eggar: As I have stated on numerous occasions, we have established the basic principle that assets will be followed by the associated liabilities. I can confirm that full financial liability for spent reactor fuel will fall on the owners of the reactors following privatisation.

Helms-Burton Act

Mr. David Marshall: To ask the President of the Board of Trade if he will make a statement on the impact of the Helms-Burton legislation on British businesses. [22614]

Mr. Nelson: I refer the hon. Gentleman to the answer I gave the hon. Member for Stretford (Mr. Lloyd) on 1 April 1996, *Official Report*, column *8*.

Small Business

Ms Jowell: To ask the President of the Board of Trade what was the total number of new businesses with fewer than 100 employees established in each of the last four years, and how many were set up by women. [22793]

Mr. Page: Figures of the number of businesses registered for VAT for 1992 to 1994, the latest year for which date are available, are given in the table:

Number of VAT registrations in the United Kingdom 1992–1994

Year	*VAT registrations (thousand)*
1992	187
1993[1]	191
1994[1]	190

Note:
[1] Figures for 1993 and 1994 include adjustments to allow for the increase in the VAT threshold in November 1993
Source:
DTI Small Firms Statistics Unit.

About 45 per cent. of all businesses are VAT registered, so the total number of start-ups can be expected to be around double the number of new registrations.

Almost all new businesses will have fewer than 100 employees. Research by Barclays bank plc found that women accounted for 27 per cent. of start-ups in 1995, compared with around 25 per cent. earlier in the 1990s.

Mururoa Atoll

Mr Dalyell: To ask the President of the Board of Trade what input the United Kingdom has into the International Atomic Energy Authority investigation of Mururoa atoll; and who will be considering, on behalf of the United Kingdom Government, the geological stability of the site. [23153]

Mr. Oppenheim: The International Atomic Energy Authority has undertaken, at the invitation of the French Government, to assess the radiological situation of the atolls of Mururoa and Fangataufa. The study will, inter alia, assess the geological stability and hydrology of the atolls. Experts from the United Kingdom will take part both in the study and in the high-level international advisory committee of scientists who will provide scientific guidance and direction to the IAEA on all matters related to the conduct of the study.

The study's findings, conclusions and recommendations will be contained in a report of the international advisory committee. This report will be published by the IAEA.

Regional Development Organisations

Sir Michael Grylls: To ask the President of the Board of Trade if he has considered the business plans of the English regional development organisations; and what level of financial support he proposes to offer for 1996–97. [25117]

Mr. Eggar: I have studied the current performance and future plans of the eight English regional development organisations. I am pleased to say that they continue to make a significant contribution to the work of my Department's Invest in Britain Bureau, to the overall success of the UK in attracting inward investment, and in particular to their regions' performance. In recognition of this, I have today offered £8.68 million of grant for their inward investment promotion activities for 1996–97. I have also made available a total of £531,000 for inward investment promotion activities in the south-east and eastern regions, to be undertaken by the Government offices.

This 4.5 per cent. increase in funding is to enable the UK to remain competitive in promoting its locational advantages in the face of increasing competition for mobile inward investment projects. I have allocated the grant aid as follows.

Regional Development Organisation	*1996–97 £000*
Northern Development Company (NDC)	1,660
INWARD Ltd (in the north-west)	1,388
Yorkshire and Humberside development agency (YHDA)	1,410
West Midlands development agency (WMDA)	1,128.2
East Midlands Development Company Ltd. (EMDC)	810
Devon and Cornwall Development International (DCDI)	905
London First Centre	1,010
West of England development agency (WEDA)	370
Activities in the south-east and eastern regions	531

Grant is offered on an annual basis according to past performance, ability to absorb additional funding effectively, and for an agreed programme of future activities, with proper regard to value for money. It is Government policy to encourage direct inward investment to the UK because it contributes significantly to economic growth. Inward investment brings benefits both to the country as a whole and more specifically to the assisted areas.

Nuclear Power (Privatisation)

Sir Michael Grylls: To ask the President of the Board of Trade what progress is being made in the preparations for the privatisation of the nuclear industry. [25120]

Mr. Eggar: I am pleased to report that significant progress is being made in the arrangements for privatising British Energy. Agreement has been reached in principle on the capital structure of the company. Details will be included in the share offer prospectus in due course.

Three further significant milestones were passed on 31 March, 1996:

an independent segregated fund, which will provide for the cost of eventual decommissioning of British Energy's nuclear power stations, was established and will come into effect on privatisation. The fund will receive an initial endowment of about £230 million from the British Energy Group; the group will initially contribute £16 million per year in real terms to the fund thereafter. An independent trust, known as the Nuclear Trust, will manage the segregated fund and will own a funding company—the Nuclear Generation Decommissioning Fund Ltd;

British Energy plc, and its operating subsidiaries Nuclear Electric Limited and Scottish Nuclear Limited, were formally vested, as was Magnox Electric plc, which will operate the magnox power stations in the public sector;

new nuclear site licences granted by the Health and Safety Executive for all British Energy and Magnox Electric nuclear power stations came into force.

Arrangements for the British Energy share offer are also on course. The offer is planned for July 1996. It will comprise on open-priced international tender offer to institutional investors and a UK public offer aimed at retail investors. The launch of the UK public offer is planned for late May. At least 30 per cent. of the shares are expected to be offered to retail investors. This proportion may be increased if retail demand is strong. Payment for the shares will be in instalments. The share price in the UK public offer will be at a discount to the international offer price. Incentives and preference in allocation will be available to individuals who register for the UK public offer through a share shop. Arrangements for share shops' participation in the UK public offer were announced on 28 March 1996.

Social Affairs Council

Sir Michael Grylls: To ask the President of the Board of Trade if he will make a statement on the outcome of the EC Social Affairs Council meeting held on 29 March. [25116]

Mr. John M. Taylor: I attended the EC Social Affairs Council meeting on 29 March in Brussels with my hon. Friend the Under-Secretary of State for Social Security. There were no formal votes involving the UK.

There was an open discussion on the future of social protection, at which my hon. Friend the Member for Gedling (Mr. Mitchell) represented the UK. He recognised the similar challenges facing member states —aging populations, affordability and efficiency—and emphasised the need to take decisions about social security at national level.

The other 14 member states agreed the directive on parental leave, subject to German parliamentary scrutiny. This directive is based on the Maastrict agreement on social policy and does not apply to the UK.

Political agreement was reached on a common position on the draft directive on the posting of workers. The UK and Portugal opposed the agreement.

There were Commission presentations on a Commission communication on Community structural policies and employment, and on a Commission communication on worker information and consultation.

The Presidency announced that there would be an interim progress report at the Florence European Council on employment matters and confirmed details of forthcoming events to consider Presdent Santer's proposed "confidence pact".

Telecommunications Council

Sir Michael Grylls: To ask the President of the Board of Trade if he will make a statement on the outcome of the EC Telecommunications Council on 21 March. [25118]

Mr. Ian Taylor: The deputy UK permanent representative to the European Union represented the UK at the Telecommunications Council held in Brussels on 21 March.

Following the unanimous political agreement reached at the last Telecommunications Council, the Council agreed a common position on a series of guidelines for trans-European telecommunications networks. The Council also reached political agreement on a draft directive on interconnection in telecommunications—Ireland, Belgium and Luxembourg opposed. A short debate followed on a Commission communication on directories and other telecoms information services in a competitive environment. The Presidency adopted conclusions calling on member states and the Commission to continue to monitor developments in the sector.

The Presidency gave a progress report on discussion of a draft directive to amend the open network provision framework and leased lines directives 90/387/EEC and 92/44/EEC to a competitive environment. The Commission made a brief presentation of its communication on universal service for telecoms in a competitive environment. A draft decision for EU action on satellite personal communications services was referred back to the Committee of Permanent Representatives for further discussion. There was also an informal lunchtime discussion on the progress of multilateral negotiations in the World Trade Organisation on basic telecommunications with Sir Leon Brittan.

Computers

Mr. David Atkinson: To ask the President of the Board of Trade if he will make a statement on the problem of non-recognition by computers of the year 2000 with regard to his Department's computers and those for which it is responsible. [24400]

Mr. John M. Taylor: My Department is aware of the problem and has already had initial discussions with the Central Computer and Telecommunications Agency—the Government centre for information systems—and our main computer services supplier. CCTA has initiated a programme of consultation and education in which we are participating and, in parallel, we are investigating the scale and complexity of the problem as it affects our own IT systems. We will proceed on the basis of the results of these exercises.

Coal Industry Pneumoconiosis Compensation Scheme

Mr. Clapham: To ask the President of the Board of Trade how many claims were settled under the coal industry pneumoconiosis compensation scheme from 1989 to date; when he will update the schedule of

payments under the coal industry pneumoconiosis compensation scheme; if they will be back-dated; and if he will make a statement. [24830]

Mr. Page: This is a matter for the British Coal Corporation. I have asked the chairman to write to the hon. Member.

Assistance to Companies

Mr. Jamieson [illegible] ask the President of the Board of Trade in respect [illegible]ow many liquidated companies in the south-west w[illegible]h received financial support from his Department in each of the last eight years his Department are creditors; and what is the total owed. [20792]

Mr. Oppenheim *[holding answer 14 March 1996]:* The information, in respect of recipients of support under the Department's regional, enterprise and technology schemes, is as follows:

Year of liquidation	*Number of companies*	*Total amount owed*
		£ thousand
1988	4	141
1989	10	197
1990	18	465
1991	12	290
1992	13	280
1993	10	182
1994	8	471
1995	4	137

All but £81,000 of the above has been written off.

Mr. Jamieson: To ask the President of the Board of Trade what safeguards exist in his Department to ensure that conflicts of interest do not arise between employees of his Department or others giving advice in any capacity in his Department's regional offices in respect of the issuing of financial assistance to local businesses; and when they were introduced. [22566]

Mr. Oppenheim *[holding answer 25 March 1996]:* The Department's conditions of service have for many years required staff to declare any conflicts of interest. Failure to do so can lead to disciplinary action against the member of staff concerned. Under the Department's standard conditions of contract for consultants, external advisers who fail to declare a conflict are exposed to the possibility of termination of contract and other legal action. This has been the position since 1992. The Department announced in February that all future contracts with external advisers will contain a clause requiring them to agree not to take up appointments with firms on which they have previously given advice in relation to regional selective assistance grant applications for a period of two years after payments to these firms have ceased. The Department is considering whether similar action should be taken in respect of other financial assistance schemes.

Mr. Jamieson: To ask the President of the Board of Trade what checks are in operation to ensure that the conditions under which financial assistance is approved by his Department are met by the companies that have received this assistance. [22570]

Mr. Oppenheim *[holding answer 25 March 1996]:* The checks vary depending on the nature of the assistance given and the risk to which the Department is exposed.

ROM-Data Corporation Ltd.

Mr. Jamieson: To ask the President of the Board of Trade if he will allow immediate access by the hon. Member for Plymouth, Devonport, on a private and confidential basis, to the completed full report by his Department into events surrounding the collapse of the ROM-Data Corporation Ltd. in December 1994; and if he will make a statement. [23555]

Mr. Oppenheim *[holding answer 1 April 1996]:* This report covers matters which are the subject of a current inquiry by the Serious Fraud Office and a preliminary investigation under the Department's own disciplinary proceedings. It would not accord with the requirements of employment law or the Department's own procedures, and would be unfair to those involved, to provide access to any such material until these investigations are complete and the employees concerned have had an opportunity to put their case.

Deregulation

Mr. Steen: To ask the President of the Board of Trade, pursuant to the oral answer of the Chancellor of the Duchy of Lancaster to the hon. Member for Colchester, North (Mr. Jenkins) on 26 February. *Official Report*, column *576*, if he will list those statutory instruments and Acts of Parliament which have been gold plated in the past five years; and what steps he is taking to amend or repeal each piece of gold plating on existing legislation. [23627]

Mr. Lang *[holding answer 1 April 1996]:* The Government's policy is not to add unnecessary burdens with implementing EC directives. Departments take every opportunity to review existing legislation in the light of this. Officials are currently working on revised guidance to enable Ministers to see where implementing legislation goes beyond the underlying EC directive.

Mr. Steen: To ask the President of the Board of Trade what is the estimated annual saving to business from the Deregulation (Wireless and Telegraphy) Order 1996. [23641]

Mr. Sproat *[holding answer 1 April 1996]:* I have been asked to reply.

The deregulatory gain for the television dealer trade arising from this order is estimated to be about £10,000 a year.

Environmental Technology Industry

Ms Ruddock: To ask the President of the Board of Trade what percentage of the British market demand for environmental technology was met by *(a)* Britain, *(b)* Germany, *(c)* the United States of America and *(d)* Japan in (i) 1990, (ii) 1991, (iii) 1992, (iv) 1993, (v) 1994 and (vi) 1995. [24113]

Mr. Page *[holding answer 2 April 1996]:* It is not possible to identify how much of the UK market is met by specific countries due to re-exporting of imported goods. Figures for manufacturer sales and exports can include imported goods.

There is no international agreed definition of the environmental technology industry. The available information for imports of pollution control and monitoring equipment is given in the table. This is based on definitions prepared by ECOTEC on behalf of the joint environmental markets unit.

1993

£000

Product category	Implied imports UK market	(Total)	Imports from Germany	USA	Japan
Machinery and apparatus for filtering and purifying air	145,858	21,169	3,969	9,100	168
Machinery and apparatus for filtering and purifying gases (excl air) by a liquid process	545	809	583	20	0
Machinery and apparatus for filtering and purifying gases (excl air) by an electrostatic process	3,424	458	364	87	0
Machinery and apparatus for filtering and purifying gases (excl air) by a catalytic process	17,431	33,504	3,897	629	1
Machinery and apparatus for filtering and purifying gases (excl air) by a thermic process	n/a	236	152	65	0
Machinery and apparatus for filtering and purifying gases	17,664	24,707	1,108	3,036	1,281
Machinery and apparatus for filtering and purifying water	n/a	45,085	9,808	10,397	294
Machinery and apparatus for filtering and purifying liquids	n/a	21,513	5,467	3,313	304
Activated carbon	n/a	16,776	487	4,338	542
Instrumentation for measuring and analysing liquids	77,528	22,410	1,408	7,562	2,431
Gas or smoke analysis apparatus (electronic)	44,804	16,025	3,139	6,161	3,282
Gas or smoke analysis apparatus (non-electric)	–38,063	18,800	7,168	1,694	6,708
Parts of machinery for filtering and purifying gases and liquids	81,377	83,011	23,022	27,339	5,674
Furnaces and ovens for the incineration of rubbish (non-electric)	12,592	12	9	0	0
Industrial and laboratory furnaces, including incinerators (Non-electric)	12,542	4,754	183	887	2,096
Parts of industrial and laboratory furnaces and ovens	21,340	13,002	4,604	1,012	134
Total	57,064	324,270	65,368	75,640	22,914

Source:
Overseas Trade Statistics, PRODCOM.

1994

£000

Product category	Implied imports UK market	(Total)	Imports from Germany	USA	Japan
Machinery and apparatus for filtering and purifying air	141,522	16,762	3,802	4,289	311
Machinery and apparatus for filtering and purifying gases (excl air) by a liquid process	1,107	2,653	72	31	1
Machinery and apparatus for filtering and purifying gases (excl air) by an electrostatic process	–244	1,021	564	382	0
Machinery and apparatus for filtering and purifying gases (excl air) by a catalytic process	n/a	51,969	1,244	513	7
Machinery and apparatus for filtering and purifying gases (excl air) by a thermic process	n/a	499	308	8	0
Machinery and apparatus for filtering and purifying gases (excl air)	–50,326	10,769	683	3,560	803
Machinery and apparatus for filtering and purifying water	n/a	41,736	10,427	8,342	338
Machinery and apparatus for filtering and purifying liquids	n/a	25,641	5,309	5,751	641
Activated carbon	n/a	17,521	1,262	3,217	939
Instrumentation for measuring and analysing liquids	101,881	30,108	5,265	8,925	2,740
Gas or smoke analysis apparatus (electronic)	28,618	14,662	3,738	5,310	965
Gas or smoke analysis apparatus (non-electric)	–24,039	21,350	4,629	1,412	10,373
Parts of machinery for filtering and purifying gases and liquids	138,228	97,641	27,995	28,702	7,639
Furnaces and ovens for the incineration of rubbish (non-electric)	16,737	65	0	0	0
Industrial and laboratory furnaces, including incinerators (Non-electric)	18,252	4,025	537	1,416	4
Parts of industrial and laboratory furnaces and ovens	23,676	8,996	1,763	1,043	842
Total	99,591	345,417	67,597	72,903	25,601

Source:
Overseas Trade Statistics, PRODCOM.

Ms Ruddock: To ask the President of the Board of Trade what percentage of profits earned by British environmental technology industries derived from export sales in *(a)* 1990, *(b)* 1991, *(c)* 1992, *(d)* 1993, *(e)* 1994 and *(f)* 1995. [24109]

Mr. Page *[holding answer 2 April 1996]:* The information is not available centrally.

Ms Ruddock: To ask the President of the Board of Trade what percentage of British environmental technology industries derived less than *(a)* 10 per cent. and *(b)* 20 per cent. of their earnings from exports in (i) 1992, (ii) 1993, (iii) 1994 and (iv) 1995. [24110]

Mr. Page *[holding answer 2 April 1996]:* Information on individual company exports and production is not held centrally.

Ms Ruddock: To ask the President of the Board of Trade what was the British share of the British environmental technology market for *(a)* air monitoring, *(b)* water monitoring, *(c)* waste treatment, *(d)* water treatment, *(e)* energy management, *(f)* waste disposal and *(g)* air pollution treatment technologies in (i) 1990, (ii) 1991, (iii) 1992, (iv) 1993, (v) 1994 and (vi) 1995. [24114]

Mr. Page *[holding answer 2 April 1996]:* It is not possible to identify how much of the UK market is met by UK-produced goods due to re-exporting of imported goods. Figures for manufacturer sales and exports can include imported goods.

There is no international agreed definition of the environmental technology industry. Using as a definition of environmental products industries, ones producing "a product which enhances or prevents the deterioration of the external environment", it is estimated that in 1992 UK manufacturer sales of environmental products were £5.4 billion, exports were £850 million, imports were £495 million and the UK market was £5.1 billion. Estimates have not been made for later years.

The available information for the UK market for pollution control and monitoring equipment is given in the table. This is based on definitions prepared by ECOTEC on behalf of the joint environmental markets unit.

1993

£000

Product category	*UK manufacturer sales*	*Exports*	*Imports*	*Implied UK market*
Machinery and apparatus for filtering and purifying air	179,532	56,000	21,169	145,858
Machinery and apparatus for filtering and purifying gases (excluding air) by a liquid process	1,986	2,400	809	545
Machinery and apparatus for filtering and purifying gases (excluding air) by an electrostatic process	3,204	200	458	3,424
Machinery and apparatus for filtering and purifying gases (excluding air)by a catalytic process	1,560	19,600	35,504	17,431
Machinery and apparatus for filtering and purifying gases (excluding air) by a thermic process	n/a	40	236	n/a
Machinery and apparatus for filtering and purifying gases (excluding air)	6,111	13,600	24,707	17,664
Machinery and apparatus for filtering and purifying water	n/a	82,800	45,085	n/a
Machinery and apparatus for filtering and purifying liquids	n/a	44,000	21,513	n/a
Activated carbon	n/a	13,700	16,776	n/a
Instrumentation for measuring and analysing liquids	114,929	60,100	22,410	77,528
Gas or smoke analysis apparatus (electronic)	91,172	63,100	16,025	44,804
Gas or smoke analysis apparatus (non-electric)	12,310	69,800	18,800	–38,063
Parts of machinery for filtering and purifying gases and liquids	126,616	131,800	83,011	81,377
Furnaces and ovens for the incineration of rubbish (non-electric)	14,039	1,500	12	12,592
Industrial and laboratory furnaces, including incinerators (non-electric)	17,813	10,100	4,754	12,542
Parts of industrial and laboratory furnaces and ovens	36,706	26,700	13,002	21,340
Total	183,727	595,440	324,270	57,064

Source:
Overseas Trade Statistics, PRODCOM.

1994

£000

Product category	*UK manufacturer sales*	*Exports*	*Imports*	*Implied UK market*
Machinery and apparatus for filtering and purifying air	178,396	54,300	16,762	141,522
Machinery and apparatus for filtering and purifying gases (excluding air) by a liquid process	1,448	3,000	2,653	1,107
Machinery and apparatus for filtering and purifying gases (excluding air) by an electrostatic process	0	1,300	1,021	–244
Machinery and apparatus for filtering and purifying gases (excluding air)by a catalytic process	n/a	26,700	51,969	n/a
Machinery and apparatus for filtering and purifying gases (excluding air) by a thermic process	n/a	100	499	n/a
Machinery and apparatus for filtering and purifying gases (excluding air) (excluding 8421.39-51 to –75)	5,485	66,600	10,769	–50,326
Machinery and apparatus for filtering and purifying water	n/a	102,700	41,736	n/a
Machinery and apparatus for filtering and purifying liquids	n/a	41,000	25,641	n/a
Activated carbon	n/a	11,400	17,521	n/a
Instrumentation for measuring and analysing liquids	123,498	52,400	30,108	101,881
Gas or smoke analysis apparatus (electronic)	70,511	56,500	14,662	28,618
Gas or smoke analysis apparatus (non-electric)	15,700	61,100	21,350	–24,039
Parts of machinery for filtering and purifying gases and liquids	143,696	102,700	97,641	138,228
Furnaces and ovens for the incineration of rubbish (non-electric)	17,172	500	65	16,737

1994

£000

Product category	*UK manufacturer sales*	*Exports*	*Imports*	*Implied UK market*
Industrial and laboratory furnaces, including incinerators (non-electric)	21,945	7,900	4,025	18,252
Parts of industrial and laboratory furnaces and ovens	48,256	33,600	8,996	23,676
Total	193,782	621,800	345,417	99,591

Patent Office

Mr. Alex Carlile: To ask the President of the Board of Trade what core functions of the Patent Office are being considered for contracting out; and if he will make a statement. [24160]

Mr. Ian Taylor *[holding answer 2 April 1996]:* The remit placed on the Patent Office by my right hon. Friend the President of the Board of Trade in his statement of 14 December 1994 was to contract out activities wherever this was compatible with its statutory role and good value for money. In pursuit of this remit, the Patent Office, in its latest corporate plan for the next five years, foresees the employment of up to 750 civil service staff supported by about 250 contracted staff working for external suppliers. Services currently under consideration for contractorisation are the London front office, informatin technology services and the central inquiry unit.

Torture Equipment

Mr. Tony Lloyd: To ask the President of the Board of Trade what action the British Government take to ensure that British companies do not re-export torture equipment originating in third countries. [24274]

Mr. Oppenheim *[holding answer 2 April 1996]:* The Government control the export of weapons under the Export of Goods (Control) Order. It is not, however, practicable to control the export of the wide range of articles that might be misused for the purposes of torture. The Government deplore the use of torture in any circumstances and would never knowingly do anything to support its practice or any trade in instruments of torture anywhere in the world.

Mr. Lloyd: To ask the President of the Board of Trade what action Her Majesty's Government are taking to ensure that British companies do not engage in the off-shore sale of equipment which could be used for torture purposes. [24273]

Mr. Oppenheim *[holding answer 2 April 1996]:* The Government deplore the use of torture in any circumstances and would never knowingly do anything to support its practice, or any trade in instruments of torture anywhere in the world.

However, it is not practicable to regulate trade in the wide range of articles that might conceivably be misused for the purposes of torture. In respect of goods licensable under the Export of Goods (Control) Order, however, the Government are considering whether to cover this issue in forthcoming public consultation on a range of export control matters following Sir Richard Scott's recent report.

Defence Technology

Ms Rachel Squire: To ask the President of the Board of Trade what plans he has to develop a national strategy for defence technology. [23688]

Mr. Arbuthnot: I have been asked to reply.

In July 1995, my Department announced its intention of establishing a technology strategy for access to, and development of, defence technology. Since that time, there have been discussions with defence industry, academia and other interested parties. It is envisaged that a further round of consultations will be initiated shortly with the object of publication of the technology strategy in the autumn.

Mr. Squire: To ask the President of the Board of Trade what increase in funding has been provided for technology demonstrator programmes for defence since the 1995 report from the technology foresight panel. [23695]

Mr. Arbuthnot: I have been asked to reply.

Since the 1995 technology foresight report from the defence and aerospace panel, the defence budget has increased its funding for technology demonstrator programmes by £12.3 million over the next 10 years.

Executive Action

Mr. Gordon Prentice: To ask the President of the Board of Trade if he will list those areas of Executive action where he has discretion to act in respect of an individual without giving reasons for his decision. [20533]

Mr. John M. Taylor: Comprehensive records are not kept in the form requested. My Department is committed generally to giving reasons for administrative decisions to those affected, in accordance with the code of practice on access to Government information. My Department has identified from readily available sources the statutory powers of inquiry under the Financial Services Act 1986, the Insurance Companies Act 1982 and the Companies Act 1989 where, although the Secretary of State has to have reason to exercise these powers, he does not have to give reasons for his decision to do so. Import, export and sanctions licensing is also an area where the Secretary of State has discretion to act in respect of an individual without giving reasons for his decision.

Home and Overseas Trade Committee

Sir David Steel: To ask the President of the Board of Trade what plans he has to establish an interdepartmental committee to oversee home and overseas trade as recommended by Sir Richard Scott. [21299]

Mr. Lang: None at present.

EC Research Council

Sir Michael Grylls: To ask the President of the Board of Trade if he will make a statement on the outcome of the EC Research Council held on 25 March. [25121]

Mr. Ian Taylor: The Council undertook an initial exchange of views on the Commission's proposal to increase the funding of the fourth framework programme for research and technological development by 700 mecu. Such an increase would require amendment of the financial perspectives. The UK, with five other member states, repeated its opposition to such amendment.

The Council adopted a resolution outlining a strategy for the EU's relations with third countries in research and technological development. The Council met the research Ministers of the nine associated states of central and eastern Europe and the Baltic to exchange views on the scope for strengthening their scientific and technological links with the EU.

The Council had a brief initial debate on the Commission's green paper on innovation. The Council will return to the matter in June. The UK drew attention to the contribution that the launch of EASDAQ in September 1996 would make to improving financing for high technology ventures, a key concern of the green paper.

Scott Report

Mr. Dalyell: To ask the President of the Board of Trade what progress has been made in his examination of issues raised by the Scott report. [24177]

Mr. Lang: I refer the hon. Gentleman to the document placed in the Library of the House by my right hon. Friend the Chancellor of the Duchy of Lancaster last month entitled, "The timetable for taking forward recommendations of the Report of the Inquiry into the export of defence equipment and dual use goods to Iraq and related prosecutions".

Manufacturing Processes (Beef and Beef By-products)

Mr. George Howarth: To ask the President of the Board of Trade if he will list all the proprietary products, additives and commonly used manufacturing processes which involve the use of beef or beef by-products which are available for sale in United Kingdom retail outlets. [24091]

Mrs. Browning *[holding answer 1 April 1996]:* I have been asked to reply.

This information is not centrally recorded and cannot be provided without disproportionate cost.

HEALTH

Health Authorities (Irregular Payments)

Mr. Barron: To ask the Secretary of State for Health (1) how much was received by each of the 17 persons in receipt of irregular payments from the former Yorkshire regional health authority [22732]

(2) if he will break down by recipient and health service body the £579,000 of irregular expenditure on relocation qualified in the Comptroller and Auditor General's report on the NHS—England—summarised accounts 1993–94; and in each case *(a)* how much was paid to each recipient and by which body; *(b)* how much has been recovered and *(c)* what action is planned to facilitate the recovery of outstanding amounts. [22733]

Mr. Malone: Irregular relocation payments, totalling £579,000, were made as follows:

Former Yorkshire RHA £	*South Birmingham DHA* £
19,750	131,000
48,750	—
55,000	—
43,750	—
5,250	—
23,000	—
16,250	—
7,950	—
6,000	—
49,915	—
67,200	—
10,250	—
28,750	—
4,750	—
4,500	—
13,500	—
23,800	—
19,455	—

The successor authorities are pursuing the recovery of these moneys. Repayment terms have been agreed in one case.

Residential Accommodation

Mr. Nicholas Baker: To ask the Secretary of State for Health what rate of interest on invested capital is to be assumed by a local authority when assessing the charge to be made to a person in residential accommodation arranged by that local authority. [23401]

Mr. Bowis: The formula for calculating the contribution a resident makes from his capital between the lower and upper limits is not intended to represent any rate of return that could be obtained from investing that capital. It provides a straightforward method of calculating the weekly contribution which people with capital in between the two limits are expected to make from those resources to help meet their accommodation costs.

GP Fundholding (Wakefield)

Ms Harman: To ask the Secretary of State for Health how many fundholding GPs in the Wakefield area have agreed to enter into a total fund project. [23428]

Mr. Horam: Discussions are being held with all general practitioners in Wakefield health authority about their involvement with the district wide total purchasing project. This includes the 148 existing fundholders and a further 28 GPs in their preparatory year.

Bovine Spongiform Encephalopathy

Dr. Lynne Jones: To ask the Secretary of State for Health what research he has evaluated on the ability of the human immune system to fight against infection by the agent responsible for BSE in cattle and Creutzfeldt-Jakob disease in humans; and if he will make a statement. [24176]

Mr. Horam: The Spongiform Encephalopathy Advisory Committee has considered this issue and has concluded that the classical immune response is not seen in these diseases, since the human immune system does not play a major role in protection against the agents causing spongiform encephalopathies. The evidence from scrapie in sheep suggests that immuno-suppressed subjects are at no greater risk than those whose systems are intact.

Mr. Fisher: To ask the Secretary of State for Health if he will publish all the scientific evidence he has evaluated since 1992 on bovine spongiform encephalopathy. [24539]

Mr. Horam: The Spongiform Encephalopathy Advisory Committee provides the Government with expert scientific advice on BSE and CJD. In 1995, SEAC published "Transmissible Spongiform Encephalopathies: A Summary of Present Knowledge and Research", copies of which are available in the Library. Arrangements are in hand to publish the evidence about a previously unrecognised form of Creutzfeldt-Jakob disease in a scientific journal as soon as is practicable.

Spongiform Encephalopathy Advisory Committee

Dr. Lynne Jones: To ask the Secretary of State for Health if he will list the members of SEAC. [24174]

Mr. Horam: The information requested is as follows:

Chairman

Professor J. R. Pattison

Dean of University College London Medical School where he is also Professor of Medical Microbiology.

Deputy Chairman

Dr. R. G. Will

Consultant neurologist at the Western General Hospital, Edinburgh and Director of the UK CJD Surveillance Unit.

Membership

Professor I. V. Allen

Neuropathologist at the Royal Victoria Hospital, Belfast.

Professor J. Almond

Virologist and Professor of Microbiology at the University of Reading.

Professor F. Brown FRS

Virologist, Molecular Pathology, Plum Island Animal Disease Center, USA.

Mr. R. Bradley CBE

Veterinary Pathologist and Chairman of the BSE sub-group of the Scientific Veterinary Committee.

Professor J. Collinge

Head of the Prion Diseases Group at St. Mary's College Hospital, London.

Dr. W. D. Hueston

Epidemiologist at the USDA Animal and Plant Health Inspection Service, Fort Collins, Colorado, USA.

Dr. R. H. Kimberlin

Independent Consultant on scrapie and related diseases

Dr. Mike Painter

Consultant in Communicable Disease Control, City of Manchester.

Mr. D. B. Pepper

Private veterinary surgeon.

Professor P. Smith

Epidemiologist at the London School of Hygiene and Tropical Medicine.

Dr. W. Watson

Former Director of the Central Veterinary Laboratory.

Children (Residential Care)

Mr. Spearing: To ask the Secretary of State for Health if he will state *(a)* the approximate costs of maintaining children in residential care in local authority and voluntary charitable institutions for children of (i) primary and (ii) secondary school age, *(b)* the approximate total expenditure by these bodies for the latest available years and *(c)* the net reduction in cost to public funds for each child fully adopted at the same ages. [24414]

Mr. Bowis: This information is not available centrally.

Mr. Simon Hughes: To ask the Secretary of State for Health (1) what research his Department has carried out to assess the educational standards of residents and ex-residents of residential children's homes; and what assessment has been made of such standards, with particular reference to reading and writing skills, compared to those of other children; [24519]

(2) what research his Department has carried out to assess the offending and reoffending rates of residents and ex-residents of residential children's homes; and what assessment he has made of such rates compared with those of other children. [24518]

Mr. Bowis: No specific research has been carried out on these areas of residential care. A study which looks at a sample of 224 young people while they are in residential care and examines outcomes, including education and offending behaviour is, however, nearing completion.

Mr. Hughes: To ask the Secretary of State for Health what arrangements are in place for *(a)* local authorities and *(b)* other bodies to monitor the educational achievements and offending rates of residents and ex-residents of residential children's homes; and what arrangements exist for action to be taken by such bodies if such rates are unsatisfactory. [24520]

Mr. Bowis: These are matters for each local authority to determine. To assist them, however, in May 1995, the Department launched a set of materials called "Looking After Children: Good Parenting, Good Outcomes". The materials form a complete package for assessing, planning and reviewing the experiences and progress of children for whom statutory agencies have taken responsibility. Specific education sections include questions not only on progress and achievements of children but on the opportunities and support being provided within the care placement to enable them to succeed educationally. Seventy-two local authorities are implementing the materials.

Matters affecting local education authorities and other arrangements for monitoring the educational achievements of these children are primarily for my right hon. Friend the Secretary of State for Education and Employment.

Relocation Support

Mr. Mudie: To ask the Secretary of State for Health what conclusions the NHS executive has reached from its inquiries into irregular relocation support to staff after February 1993; and what was *(a)* the total cost of such support and *(b)* the amount to be recovered (i) in total and (ii) by health authority. [21997]

Mr. Malone *[holding answer 21 March 1996]:* None. The new General Council agreement on removal expenses, promulgated on 11 February 1993, allows an employing authority to meet any reasonable cost incurred in relocation.

Clinical Audits

Mr. Cousins: To ask the Secretary of State for Health (1) how many clinical audits have been carried out by *(a)* health authorities, *(b)* trusts and *(c)* GPs in total, and for each region; [24192]

(2) how many clinical audits have been carried out for each broad group of treatments and procedures in each of the last three years. [24193]

Mr. Horam: This information is not available centrally.

Mr. Cousins: To ask the Secretary of State for Health what was the expenditure on clinical audit by NHS regions up to the most recent period for which information is available; and what was the cost per audit in each region and the cost per head of current population in each region. [24225]

Mr. Horam: The expenditure on clinical audit by all national health service regions in 1994–95 was estimated to be £61 million in the National Audit Office report presented to Parliament on 7 December 1995. It is not possible to disaggregate this figure to give cost per audit or per head of population.

Lateral Epicondylitus

Mr. Galbraith: To ask the Secretary of State for Health if he will list the number of people *(a)* discharged from hospital and *(b)* referred to out-patient departments with the diagnosis of lateral epicondylitus in each of the last five years. [24195]

Mr. Horam: Data available centrally do not separately identify lateral epicondylitis. The condition is one of a group under the general heading of enthesopathy of the elbow region, region, ICD9 726.3. The number of finished consultant episodes within this group, where a discharge from hospital is indicated, in each of the last five years for which figures are available, is shown in the table. Data on referrals to out-patient departments are not available centrally.

England	*Number*
1989–90	1,696
1990–91	3,182
1991–92	3,478
1992–93	3,789
1993–94	4,195

EDS Ltd.

Mr. Redmond: To ask the Secretary of State for Health what savings to date have been made by his Department as a result of out-sourcing arrangements made with the EDS computer system; what assessment he has made of the equivalent costs for carrying out this work in house; and if he will make a statement. [24228]

Mr. Horam: The Department has no out-sourcing arrangements with EDS.

Medical Research

Mrs. Dunwoody: To ask the Secretary of State for Health (1) what measures he currently takes to safeguard against fraud involving medical research studies for which he is responsible; [24486]

(2) what measures he is taking to safeguard against fraud involving medical research studies for which he is responsible. [24485]

Mr. Horam: It is the responsibility of the whole medical research community and its sponsors—which includes research councils, medical charities, Government Departments and industry—to ensure good practice in the conduct of research. This operates largely on a self-regulating basis through the principles of peer review and through guidelines on good practice which are issued by a number of bodies.

This Department has had a code of practice since 1993 which sets out the principles and practices for the commissioning and management of all departmentally funded research and development.

Mrs. Dunwoody: To ask the Secretary of State for Health if he will set up a review body to address *(a)* the investigation of fraud and *(b)* the review of complaints involving medical research. [24482]

Mr. Horam: It is the responsibility of the whole medical research community and its sponsors—which includes research councils, medical charities, Government Departments and industry—to ensure good practice in the conduct of research.

This Department is committed to maintaining high standards in the commissioning and management of the research that it funds and maintains open dialogue with the wider research community on all aspects of research.

There is no intention, at present, for this Department to set up a review body for the investigation of fraud.

Mrs. Dunwoody: To ask the Secretary of State for Health if he will make a statement on the formal career structure for research staff involved in medical research studies. [24483]

Mr. Horam: In February, the Department issued a first statement of a research capacity strategy for the Department and the national health service. This statement is out for consultation in the research community and the NHS until the middle of April, copies are available in the Library. This exercise—which covers a range of medical and health care professionals—will be supplemented by meetings with relevant organisations. It will also be considered by the national forum of medical research funders, prior to the publication of a further statement.

This consultation exercise recognises that responsibility for developing and maintaining a workforce capable of delivering high-quality research rests with a number of organisations, and the Department is committed to working with others to achieve that end.

Mrs. Dunwoody: To ask the Secretary of State for Health what representations he has received concerning fraud involving medical research studies; and if he will make a statement. [24484]

Mr. Horam: My Department met with the president of the Royal College of Obstetricians and Gynaecologists to discuss the issue of scientific fraud. My Department also maintains close contact with the Medical Research Council, which receives its grant in aid from the office of my right hon. Friend the President of the Board of Trade, which has set up a working group to re-examine the issue of good research practice.

Contact Orders

Mr. Gapes: To ask the Secretary of State for Health what plans he has to monitor the impact on the health of children of contact orders under section 8 of the Children Act 1989. [24791]

Mr. Bowis: None.

Mr. Gapes: To ask the Secretary of State for Health what plans he has to carry out research on the impact of contact orders under section 8 of the Children Act 1989, on regular attendance by children at places of religious worship. [24790]

Mr. Bowis: None.

Accident and Emergency Services

Mr. Whittingdale: To ask the Secretary of State for Health how many designated receiving unit accident and emergency departments do not have an associated 24-hour observation ward; and what proportion of the total this represents. [24708]

Mr. Horam: This information is not available centrally.

Mr. Pike: To ask the Secretary of State for Health how many representations he has received about the future of accident and emergency units in Lancashire hospitals following publication of the Audit Commission report; and if he will make a statement. [24123]

Mr. Horam: We have received three letters on this subject. Accident and emergency services in Lancashire are a matter for the county's four district health authorities. The hon. Member may wish to contact the chairmen of these authorities for more details.

Intensive Care Beds

Mr. Llwyd: To ask the Secretary of State for Health how many beds there are in each intensive care unit in England; and if he will make a statement. [24637]

Mr. Horam: "Bed availability for England", a copy of which is available in the Library, contains the available information by individual national health service trusts, directly managed units and the special health authorities with summary tables for England.

Computers

Mr. David Atkinson: To ask the Secretary of State for Health if he will make a statement on the problem of non-recognition by computers of the year 2000 with regard to his Department's computers and those for which it is responsible. [24407]

Mr. Horam: Preliminary analysis of the Department of Health's own mainframe computer systems has already been undertaken to assess the likely impact of the change of millennium. A further detailed analysis is to be carried out during 1996–97 to fully assess the impact of the change.

National health service systems users and suppliers have been alerted to the problem by a series of articles published over the last year in the *British Journal of Healthcare Computing and Information Management* by the information management centre. The IMC will later this month be deciding what further action is necessary.

The NHS central register is in the process of installing a new computer system as part of the new NHS number programme. The specification for the system includes provision for the year 2000.

This issue is common to many organisations and the Department will be collaborating with other government and non-governmental agencies to ensure that intelligence is shared.

Waste Minimisation

Ms Ruddock: To ask the Secretary of State for Health if he will make a statement on progress in establishing an office waste minimisation strategy for his Department, indicating the targets set. [24516]

Mr. Horam: In common with other Departments, we will set targets for minimisation of office waste by the end of 1996.

We are currently in the process of establishing reliable baseline data on which these targets will be based.

NORTHERN IRELAND

All-party Negotiations

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland if amendments can be made to the consultation paper, "Ground Rules for Substantive All-party Negotiations", following consultations with Northern Ireland political parties. [22443]

Mr. Ancram: As the hon. Member acknowledges, the paper issued on 15 March was a consultation paper. There needs to be widespread agreement on the issues covered

in the paper and I am grateful for the detailed comments which have now been received from most of the recipients.

Terrorism

Dr. Hendron: To ask the Secretary of State for Northern Ireland if he will list all terrorist activity having taken place in the constituency of West Belfast since 10 April 1992. [23547]

Sir John Wheeler: The information requested is not readily available and could be obtained only at disproportionate cost. Details of incidents are not recorded on a constituency basis, however, I can give the hon. Member an indication of the number of incidents which may be considered to be terrorist-related which occurred in the general area of West Belfast.

Between 10 April 1992—28 March 1996

	Number
Deaths	42
Shooting incidents	386
Bombing incidents	153
Incendiaries	11
Casualties as a result of 'punishment' shootings	147
Casualties as a result of 'punishment' assaults	116
Armed robberies	389

Creutzfeldt-Jakob Disease

Dr. Hendron: To ask the Secretary of State for Northern Ireland (1) how many cases of Creutzfeldt-Jakob disease have occurred in each of the Northern Ireland parliamentary constituencies in each of the last 10 years; [23411]

(2) how many Creutzfeldt-Jakob disease-related deaths have occurred in Northern Ireland in the last 10 years. [23412]

Mr. Moss: There have been six cases, all fatal, resulting in one death in each of the years 1986, 1992, 1993 and 1995 and two deaths in 1989. Information is not available by parliamentary constituency.

Benefits (West Belfast)

Dr. Hendron: To ask the Secretary of State for Northern Ireland how many people in West Belfast are currently in receipt of disability living allowance. [23413]

Mr. Moss: In August 1995, there was a total of 10,882 people in receipt of disability living allowance in the following wards; Andersonstown, Beechmount, Blackstaff, Clonard, Colin Glen, Falls, Falls Road, Glencairn, Glencolin, Glen Road, Highfield, Kilwee, Ladybrook, Shankill, Twinbrook, Upper Springfield and Whiterock.

Dr. Hendron: To ask the Secretary of State for Northern Ireland (1) how many people from West Belfast have applied for attendance allowance in each of the last five years; and what percentage of applications have been disallowed; [23415]

(2) how many people from West Belfast have applied for invalidity benefit or incapacity benefit in each of the last five years; and what percentage of applications have been disallowed; [23417]

(3) how many people in West Belfast have applied for disability living allowance in each of the last five years; and what percentage of applications were disallowed. [23414]

Mr. Moss: The information requested is not available.

Prisoners

Dr. Hendron: To ask the Secretary of State for Northern Ireland if he will make a statement on the case of Messrs Patrick Kane, Sean Kelly and Michael Timmons. [23548]

Sir John Wheeler: I refer the hon. Gentleman to my response to his motion for the Adjournment of the House of 15 March 1995, *Official Report*, columns 872–80. I re-emphasised my right hon. and learned Friend's assurance that, pending the establishment of the criminal cases review commission, he was willing to consider most carefully any further material put to him about the cases of Messrs Kane, Timmons and Kelly. He has not received any substantive material in the meantime.

Attendance Allowance

Dr. Hendron: To ask the Secretary of State for Northern Ireland how many people in West Belfast are currently in receipt of attendance allowance. [23416]

Mr. Moss: The information requested is not available at present.

Incapacity Benefit

Dr. Hendron: To ask the Secretary of State for Northern Ireland how many people from West Belfast are currently in receipt of incapacity benefit. [23418]

Mr. Moss: The information requested is not available at present.

Brooklands Primary School

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what was the enrolment in each of the past five years at Brooklands primary school; what is the expected enrolment at the school in each of the next five years; what proposals there are to provide additional accommodation at the school; how many places in primary one will be available in the next academic year; how many applicants there are for places in primary one at the school for the next academic year; and if he will make a statement. [23682]

Mr. Ancram: The enrolments in each of the past five years are as follows:

Year	*Number of pupils enrolled*
1991–92	548 (at January 1991)
1992–93	552 (at October 1992)
1993–94	537 (at October 1993)
1994–95	558 (at October 1994)
1995–96	576 (at October 1995)

It is not possible to accurately project an enrolment figure for each of the next five years. It is estimated, however, that the long-term enrolment of the school will be 593, excluding nursery accommodation.

Provision of controlled primary school places in Dundonald is the responsibility of the South-Eastern education and library board. I understand that the board has no plans to increase the size of Brooklands primary school at present but is reviewing demand for primary school places in the Dundonald area.

The Department has approved a temporary variation to the school's admissions number to 87 for the 1996–97 school year. The school has received 92 applications.

Public Bodies (Women)

Mrs. Helen Jackson: To ask the Secretary of State for Northern Ireland what measures he proposes to increase the number of women employed in senior positions in public bodies in Northern Ireland. [23970]

Sir John Wheeler: The chief executives' forum, the association of chief executive officers of public bodies in Northern Ireland, is actively seeking to encourage women to further their careers within the public services. This month, under the auspices of the women's group of chief executives within the forum, a formal network is to be established for women who have attained senior management positions within the civil service and in public bodies throughout the Province: addressing the problems experienced by women in management in the public services a conference will consider what might be done to help, support and encourage women managers in their careers. This initiative has the full support of my right hon. and learned Friend and the Baroness Denton of Wakefield, the Northern Ireland Office Minister with responsibility for womens' issues, who will address the conference.

The initiative forms part of a programme of work in the area of gender and equality of opportunity being pursued by the chief executive's forum. In December 1994 the forum and the Equal Opportunities Commission for Northern Ireland published a joint research report and a number of recommendations. The findings of the report have been accepted by all the public bodies involved and endorsed by the Government. The recommendations of the report are currently being acted upon and, 15 months after publication of the report, further work has been commissioned to ascertain progress and to identify and encourage the spread of good practice.

Peace Programme

Mrs. Helen Jackson: To ask the Secretary of State for Northern Ireland how many *(a)* women and *(b)* men have been appointed to each of the partnership committees established to oversee the European peace programme in Northern Ireland. [23968]

Mr. Moss: District partnerships are currently being established in each of the 26 district council areas. The composition of the partnerships is to be approved by the overseeing body, the Northern Ireland partnership board. At present the breakdown of women and men is as follows:

	Women	*Men*	*Total*
NIPB	9	14	23
Antrim	5	13	18
Ards	8	13	21
Armagh	5	12	17
Castlereagh	10	15	[1]27
Ballymena	6	18	24
Ballymoney	4	14	18
Banbridge	5	13	18
Belfast	7	14	21
Carrickfergus	6	12	18
Coleraine	7	17	24
Cookstown	5	16	21
Craigavon	8	13	21
Derry	9	12	21
Down	8	13	21
Fermanagh	11	19	30
Larne	6	12	18
Limavady	6	15	21
Lisburn	4	17	21
Magherafelt	5	10	15
Moyle	7	14	21
Newry and Mourne	6	13	19
Newtownabbey	7	17	24
North Down	11	13	24
Omagh	8	10	18
South Tyrone	6	20	26
Strabane	5	17	22

[1] Some names still to be confirmed.

Making Belfast Work

Mrs. Helen Jackson: To ask the Secretary of State for Northern Ireland how many *(a)* women and *(b)* men have been appointed to the "Making Belfast Work" board. [23969]

Mr. Moss: "Making Belfast Work" is an interdepartmental programme focusing on the most disadvantaged areas of Belfast. "Making Belfast Work" does not have a board but its strategy is set by the Belfast special action group which comprises senior civil servants from Government Departments and is chaired by Sir David Fell, head of the Northern Ireland civil service.

Mourne Conduit Replacement Contracts

Mr. William Ross: To ask the Secretary of State for Northern Ireland what account he took when seeking tenders for the two Mourne conduit replacement contracts of the request on page 15 of "A Green Guide for Suppliers of Goods and Services to the Northern Ireland Civil Service" published by the Environmental Service of the Department of the Environment. [24352]

Mr. Moss: The "Green Guide" was not published by the Department's environment service until 13 October 1995, some five months after the issue of tender documents for the Mourne conduit replacements scheme.

EDS Ltd.

Mr. Redmond: To ask the Secretary of State for Northern Ireland what assessment he has made of the savings to date to his Department and his Department's agencies from out-sourcing arrangements made with the EDS software computer system; what assessment he has made of the equivalent costs for carrying out this work in-house; and if he will make a statement. [24359]

Mr. Moss: The Northern Ireland Office, the Northern Ireland departments and their agencies have one contract with EDS. This contract resulted from EDS taking over a public sector organisation which had previously provided the relevant service. An in-house service did not therefore exist and could have been established and maintained only at a higher cost than the contract with EDS.

Hospital Contracts

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what criteria are used by the Eastern area health and social services board in drawing up its present contracts as a customer of (i) the Royal Victoria hospital, (ii) the Belfast city hospital and (iii) the Ulster hospital, Dundonald; and what is the value of the present contracts at these three hospitals. [24377]

Mr. Moss: The criteria used by the Eastern health and social services board in contracting for services take account of: Government policy; the assessed health and social care needs of its resident population; the available resources; the services offered by providers and their effectiveness, efficiency, quality and value for money; and patient and client choice.

The value of 1995–96 contracts between the Eastern health and social services board and (i) the Royal Group of hospitals trust (ii) the Belfast City hospital trust and (iii) the Ulster North Down and Ards hospital trust are as follows:

Provider	*1995–96 Contract value* £
Royal Group of Hospitals Trust	48,301,000
Belfast City Hospital Trust	39,082,000
Ulster, North Down, and Ards Hospitals Trust	38,080,000

Racial Discrimination

Mr. Worthington: To ask the Secretary of State for Northern Ireland when he will introduce legislation to inhibit racial discrimination. [23804]

Mr. Ancram: I expect to issue a draft legislative proposal for an Order in Council later this year.

Mr. Worthington: To ask the Secretary of State for Northern Ireland how *(a)* the policy appraisal and fair treatment guidelines and *(b)* targeting social need policy have been applied to ensure equality for members of ethnic minority communities. [23807]

Mr. Ancram: The policy appraisal and fair treatment guidelines, which came into effect on 1 January 1994, aim to ensure that in the development or review of policies and programmes departments and agencies do not unfairly or unnecessarily discriminate against specified sections of the community, including people of different ethnic groups. The first annual report on PAFT recorded a range of measures in support of ethnic minority groups, and in 1995 the Government announced their intention to introduce race relations legislation in Northern Ireland.

Through the targeting social need initiative the Government seek to improve social and economic conditions by targeting resources on areas and people objectively defined as being in greatest need.

Irish travellers are a minority community which experiences high levels of disadvantage. However, generally speaking, membership of an ethnic minority group in Northern Ireland does not, of itself, indicate that a person suffers socio-economic disadvantage.

Travelling People

Mr. Worthington: To ask the Secretary of State for Northern Ireland what proposals he has to improve the treatment of travelling people in Northern Ireland. [23806]

Mr. Moss: As I announced on 27 April 1995 it is the Government's intention to introduce legislation on race relations in Northern Ireland as soon as possible. The legislation will be introduced by Order in Council and will specifically refer to the Irish traveller community as an ethnic group. I expect to issue a draft of the legislative proposal later this year.

The Northern Ireland Department of Environment has published a review of Government policies affecting travellers in Northern Ireland. Interested parties have been consulted and Government's response to the recommendations will be published later in the year.

Mr. Worthington: To ask the Secretary of State for Northern Ireland what action has been taken to meet the accommodation needs of travellers; and how many sites *(a)* have been provided and *(b)* are planned. [23809]

Mr. Moss: To date 10 sites have been provided, one is nearing completion and a further two sites are planned.

Waste Minimisation

Ms Ruddock: To ask the Secretary of State for Northern Ireland if he will make a statement on progress in establishing an office waste minimisation strategy for his Department, indicating the targets set. [24515]

Mr. Moss: Office waste minimisation is a key aspect of the green housekeeping strategy of Northern Ireland departments. A strategy for office waste minimisation, containing precise targets, will now be drawn up.

Gas Supply Licences

Mr. Illsley: To ask the Secretary of State for Northern Ireland if he will make it his policy that no licence to operate gas supply in Northern Ireland be granted within three months of the coming into operation of article 8(8) of the Gas (Northern Ireland) Order 1996. [23906]

Mr. Ancram *[holding answer 1 April 1996]:* No. A gas market in Northern Ireland offers many benefits and it is the intention to encourage rapid and extensive development of such a market. The purpose of articles 8(8) is to enable the development of the new gas market to commence on the earliest possible date.

Mr. Illsley: To ask the Secretary of State for Northern Ireland if he will make it his policy that no licence be granted under articles 8 and 9 of the Gas (Northern Ireland) Order which will give monopoly of supply at the expense of competition. [23908]

Mr. Ancram *[holding answer 1 April 1996]:* No. The ability to grant exclusive rights under articles 8 and 9 reflects the very significant commercial risks associated with the development of a new gas industry in Northern Ireland entirely from scratch. Any applications for exclusive rights will be considered on their merits.

Mr. Illsley: To ask the Secretary of State for Northern Ireland if he will ensure that licences granted under the Gas (Northern Ireland) Order contain a requirement that domestic gas be supplied to the whole of the Province. [23904]

Mr. Ancram *[holding answer 1 April 1996]:* The development of a natural gas industry in Northern Ireland will be undertaken by the private sector on grounds of commercial viability. It would not be appropriate for any licence holder to be compelled to supply gas to domestic consumers throughout the Province.

Mr. Illsley: To ask the Secretary of State for Northern Ireland if he will ensure that licences granted under the Gas (Northern Ireland) Order will require immediate open access and full transparency of charges for use of gas supply networks. [23905]

Mr. Ancram *[holding answer 1 April 1996]:* No. Periods of exclusivity may be appropriate because of the commercial risks attaching to the development of the new natural gas industry in Northern Ireland. Once any exclusivity period had ended, there would be third party access to the network on the basis of regulated charges.

Mr. Illsley: To ask the Secretary of State for Northern Ireland if he will make it his policy that no licence will be issued under article 8(8) of the Gas (Northern Ireland) Order 1996 without an evaluation of all licence applications and their area of operation and a full public consultation. [23907]

Mr. Ancram *[holding answer 1 April 1996]:* When issuing a licence for any area the Department of Economic Development and the Regulator will have regard for their general duties under article 5 of the order. The purpose of article 8(8) is to enable the development of the new gas market to commence on the earliest possible date.

Unlawful Industrial Action Commissioner

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland what are the costs of operating the Northern Ireland commissioner for protection against unlawful industrial action; who is the current commissioner; how many applications for assistance have been made over the last two years; and if he will give the equivalent data for its Great Britain counterpart. [23787]

Mr. Ancram *[holding answer 2 April 1996]:* The Northern Ireland Commissioner for Protection Against Unlawful Industrial Action is Mrs. Margaret Ann Dinsmore. The Northern Ireland post was established on 1 October 1995.

The other information requested is as follows:

	Operating costs 1995–96	*Number of applications for assistance*	
		1994–95	*1995–96*
NI Commissioner for Protection Against Unlawful Industrial Action	[1]£12,000	n/a	none
(Great Britain) Commissioner for Protection Against Unlawful Industrial Action	£92,771	none	3

[1] Apportioned costs. Administration of NI Commissioner for Protection Against Unlawful Industrial Action is shared with NI Commissioner for the Rights of Trade Union Members.
n/a = not applicable.

Bridges

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland if he will list *(a)* the daily vehicle traffic flow and *(b)* the projected flows in the originating plans for (i) the new bridge on the A2 Bangor road into the Belfast harbour estate and (ii) the new Foyle bridge in Londonderry. [23783]

Mr. Moss *[holding answer 2 April 1996]:* The information is as follows:

	A2 Bangor road bridge	*Foyle bridge*
Daily traffic flow	1,581	20,617
Projected traffic flow in originating plans	The new bridge on the A2 was constructed by the Belfast Harbour Commissioners. The Department does not have details of the projected flow in the originating plans	20,000

Training (Irish Republic)

Mr. Maginnis: To ask the Secretary of State for Northern Ireland (1) what reciprocal financial arrangements exists in respect of *(a)* nursing studentships and *(b)* other professional training positions between Northern Ireland and the Irish Republic; [24436]

(2) what reciprocal financial arrangements exist in respect of third level education between Northern Ireland and the Irish Republic. [24434]

Mr. Ancram *[holding answer 2 April 1996]:* None in respect of nursing studentships or awards administered by the Department of Education and the education and library boards.

Mr. Maginnis: To ask the Secretary of State for Northern Ireland what has been the number of professional training positions, with special reference to nursing studentships, provided during each of the past five years for students from the Irish Republic; and what has been the cost to relevant Northern Ireland Departments. [24435]

Mr. Ancram *[holding answer 2 April 1996]:* The information is not readily available. I will write to the hon. Gentleman when it becomes available and place it in the Library of the House.

Mr. Maginnis: To ask the Secretary of State for Northern Ireland (1) what has been the number of students from Northern Ireland who have received their third level education in the Irish Republic during each of the past five years; and what has been the cost of *(a)* their tuition fees and *(b)* their maintenance grants to the Department of Education for Northern Ireland; [24433]

(2) what has been the number of students from the Irish Republic who, under current European regulations, have received their third level education in Northern Ireland during each of the past five years; and what has ben the cost of their tuition fees to the Department of Education for Northern Ireland. [24432]

Mr. Ancram *[holding answer 2 April 1996]:* The information is not readily available. I will write to the hon. Gentleman when it becomes available and place it in the library of the House.

Maryfield Secretariat

Mr. Maginnis: To ask the Secretary of State for Northern Ireland (1) what has been the total cost to his Department for each of the years 1986 to 1995 of maintaining the Maryfield secretariat in terms of *(a)* salaries and *(b)* travel and miscellaneous expenses; [24437]

(2) what has been the total cost to his Department for each year from 1986 to 1995 of maintenance costs and running cost for the Maryfield building; and what has been the contribution, in each of those years, from the Government of the Irish Republic. [24438]

Sir John Wheeler *[holding answer 2 April 1996]:* The information is as follows:

Expenditure of Anglo-Irish Secretariat

	1985–96	*1986–87*	*1987–88*	*1988–89*	*1989–90*	*1990–91*	*1991–92*	*1992–93*	*1993–94*	*1994–95*
Salaries	24,430	110,704	132,101	139,211	156,658	200,159	256,573	240,439	226,529	239,732
Travel and Subsistence	4,853	18,031	12,932	14,167	17,938	17,874	23,303	23,900	17,207	10,460
Other running costs	123,495	80,754	46,863	41,687	41,854	65,390	98,461	72,929	70,373	57,981
Maintenance costs	34,946	141,798	42,139	50,375	103,518	121,563	148,807	43,616	76,943	21,083
Receipts from Government of Republic of Ireland	—	–33,316	–39,756	–41,235	–41,985	–39,531	–51,816	–295,791	–75,136	–88,829
Total	187,724	317,971	194,279	204,205	277,983	365,455	475,328	85,093	215,916	240,427

1. Other running costs comprise costs of training and conferences, hospitality, uniforms and protective clothing, telecomms, stationery printing etc., publications, office equipment, publicity and advertising, postage, vehicles, accommodation charges and running costs.
2. Maintenance costs comprise costs of estate management DOE(NI) and Non-DOE(NI), maintenance and minor works DOE(NI) and non-DOE(NI).
3. Receipts from Government of Republic of Ireland for 1992–93 included a contribution towards the cost of political talks.

Beef Industry

Mr. Beggs: To ask the Secretary of State for Northern Ireland in how many beef herds in Northern Ireland BSE has been identified; and how many beef cattle from these herds have been slaughtered in each year since 1986. [24209]

Mr. Ancram *[holding answer 2 April 1996]:* BSE has been identified in 229 beef herds in Northern Ireland.

BSE was made notifiable in Northern Ireland in November 1988 when recording of cases of the disease commenced. The number of cattle from beef herds which have been slaughtered since then is:

1988: 1

1989: NIL

1990: 15

1991: 26

1992: 47

1993: 53

1994: 80

1995: 42

1996: 6.

Mr. Beggs: To ask the Secretary of State for Northern Ireland what is the estimated total number of beef cattle in Northern Ireland at present; and how many beef cattle there were in Northern Ireland in each year since 1986. [24210]

Mr. Ancram *[holding answer 2 April 1996]:* The information is given in the table:

Year	*Numbers of beef cattle at December (000)*
1986	1,090
1987	1,046
1988	1,084
1989	1,123
1990	1,136
1991	1,177
1992	1,183
1993	1,224
1994	1,235
1995	1,236

Mr. Beggs: To ask the Secretary of State for Northern Ireland how frequently animals are recorded in cow farm herd record books checked against computerised records of beef herds held by the Department of Agriculture for Northern Ireland. [24211]

Mr. Ancram *[holding answer 2 April 1996]:* Department of Agriculture for Northern Ireland computerised animal records for all herds are checked at least once a year.

Mr. Beggs: To ask the Secretary of State for Northern Ireland what assessment he has made of the advantages of requiring animal feed manufacturers to contribute to the cost of compensating farmers where outbreaks of BSE in beef cattle in suckler herds and beef producing herds can be traced to the supply of contaminated livestock feed since 1986. [24213]

Mr. Ancram *[holding answer 2 April 1996]:* No such assessment has been made.

AGRICULTURE, FISHERIES AND FOOD

Competitive Tendering (Contracts)

Mr. Donohoe: To ask the Minister of Agriculture, Fisheries and Food how many contracts for goods or services have been awarded in each of the last three financial years by his Department and its executive agencies after competitive tendering; and what was the total combined value of these contracts. [21040]

Mr. Boswell: From records held centrally, over the last three financial years the Ministry of Agriculture, Fisheries and Food and its executive agencies have let a minimum of 1,600 contracts following competitive tender. These have a combined total value of £199,556,000.

Live Animal Transport

Mr. Steinberg: To ask the Minister of Agriculture, Fisheries and Food how many companies dealing with the transportation of livestock have been prosecuted for failing to provide adequate rest stops in each of the last five years. [21227]

Mrs. Browning: This information is not kept centrally.

Intervention Beef

Mr. Kilfoyle: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of *(a)* the amount of beef held in cold stores under European Union intervention rules, *(b)* the amount of that beef which is from animals fed pre-1989 protein feed and *(c)* the amount of intervention beef which has been distributed to the most needy in the United Kingdom in each year since 1989. [23154]

Mr. Baldry: The answers to these questions are as follows:

(a) As at the end of February, the latest date for which EU figures are currently available, beef held in cold stores under EU intervention rules totalled, 5,458 tonnes.

(b) Exact information on the amount of beef currently held in intervention stores derived from animals fed pre-1989 ruminant protein feed is not available. In the UK, however, the figure is likely to be negligible on the basis that upwards of 99 per cent. of the animals in question would have been born after 1989, and the majority of those born before that date would have been finished on grass.

(c) The amount of beef taken from intervention for distribution to the most needy in the United Kingdom in each year since 1989 is shown in the table. The greater part of this was processed into canned beef for distribution.

Year	*Beef (tonnes) taken from intervention for distribution to the needy in the UK*
1989	2,975
1990	3,000
1991	3,000
1992	2,965
1993	6,200
1994	6,480
1995	7,700

Organophosphate Poisoning

Mr. Llwyd: To ask the Minister of Agriculture, Fisheries and Food what steps are being taken by his Department to educate doctors about organophosphate poisoning; and if he will make a statement. [23178]

Mrs. Browning: I refer to the reply given by the Under-Secretary of State for Health, my hon. Friend the Member for Orpington (Mr. Horam) on 1 April, *Official Report*, column *47*.

EDS Ltd.

Mr. Redmond: To ask the Minister of Agriculture, Fisheries and Food what out-sourcing contracts his agencies have with the EDS software computer system; what is the current cost; when the contract ends; what are the penalties involved should he seek early termination of the contract; and if he will make a statement. [23738]

Mr. Boswell: Centrally held records show that neither the Ministry nor any of its agencies hold out-sourcing contracts with EDS. Consequently, there are no current costs; contract end dates; or potential penalty fees. Fees for early discharge of contractual arrangements are a matter for negotiation between the Ministry and its suppliers.

Irradiated Food

Ms Estelle Morris: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the incidence of irradiated food products being supplied in the United Kingdom in the *(a)* retail, *(b)* wholesale and *(c)* import sector without complying with food labelling legislation. [24197]

Mrs. Browning: Local authorities are responsible for enforcing food labelling legislation. However, as validated tests are now available for a number of irradiated foods we intend to initiate a surveillance programme on this in the near future.

Ms Morris: To ask the Minister of Agriculture, Fisheries and Food if he will notify enforcement authorities of those companies submitting food products for irradiation treatment. [24198]

Mrs. Browning: As required under the Food (Control of Irradiation) Regulations 1991, details of any licence issued to irradiate food are published in the *London* and *Edinburgh Gazettes* and announced in a press release.

Currently only one company, Isotron plc of Swindon, is licensed to irradiate herbs and spices.

Munitions Dumps

Mr. Foulkes: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 12 March, *Official Report*, columns *510–11*, if radioactive waste was dumped by British ships in the English channel after 1966. [24221]

Mr. Baldry: Radioactive waste was last dumped in the English channel, at the Hurd deep dump site, in 1963. Details of UK sea-disposal operations are given in the 1984 "Report of the Independent Review of Disposal of Radioactive Waste in the North East Atlantic", a copy of which is in the Library.

Wheat and Barley

Mr. Marlow: To ask the Minister of Agriculture, Fisheries and Food if he will set out the margin per acre achieved by growers of wheat and barley for each of the last 15 years in *(a)* constant and *(b)* current prices, setting out the definition used by his Department of margin or margins where more than one classification is appropriate. [24279]

Mr. Baldry: I refer my hon. Friend to the answer I gave him on 18 March 1996, *Official Report*, column *27*. The 1994–95 edition of "Farm Incomes in the United Kingdom", referred to in that earlier answer, has now been published. A description of the composition of and uses for gross margins is contained in chapter 3 of "Farm Incomes in the UK 1992–93". Copies of these publications are available in the Library of the House.

Computers

Mr. David Atkinson: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the problem of non-recognition by computers of the year 2000 with regard to his Department's computers and those for which it is responsible. [24396]

Mr. Boswell: In January this year the Ministry of Agriculture, Fisheries and Food's information technology directorate initiated a project with the aim of ensuring that, by the end of 1998, all existing and planned computer systems for which the Ministry is responsible will be in a position effectively to manage the century date change on 1 January 2000.

Night Shooting Licences

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food, pursuant to the answer of 21 February, *Official Report*, column *180*, if any further night shooting licences have been issued; how many deer have been shot on the new licences and by which licence; and if he will make a statement. [24496]

Mrs. Browning: Following my reply of 21 February, no further notices to shoot deer at night have been issued by MAFF.

Deer and Fox Hunts

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food what is the cost to the Forestry Commission of supervising deer and fox hunts in the New forest by *(a)* keeps and *(b)* administrative costs. [24497]

Mr. Boswell: The Forestry Commission spends some £11,000 per annum on supervising deer and fox hunts in the New forest. This includes keepers' wages, the costs of vehicles, and other administration charges.

Disease Eradication Fund

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food (1) what is the amount of money expended in the United Kingdom from the EU disease eradication fund; [23336]

(2) which farmers in the United Kingdom have benefited from the EU disease eradication fund; [23337]

(3) which projects are currently being funded by the EU disease eradication scheme. [23335]

Mrs. Browning *[holding answer 28 March 1996]:* Northern Ireland has been approved funding in 1996 of 50 per cent. of the laboratory costs associated with the testing of samples taken under the Aujeszky's disease eradication scheme, up to a maximum of 100,000 ecus—approximately £84,000.

Information on projects currently funded in other member states is not available except at disproportionate cost.

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food what has been the United Kingdom contribution to the EU disease eradication fund since its inception. [23334]

Mrs. Browning *[holding answer 28 March 1996]:* The United Kingdom contributes to the European Community budget as a whole. Details can be found in the annual White Paper statements on the EC budget. For 1996, the United Kingdom is forecast to contribute 15 per cent. to the EU budget before the Fontainebleau abatement is taken into account and 11 per cent. after abatement.

Regulations

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food which of the 1,000 regulations identified for repeal or amendment by the Prime Minister are the responsibility of his Department; of those which *(a)* have been repealed or amended and *(b)* are planned to have been repealed or amended by the end of the 1995–96 parliamentary session; and if he will list those whose repeal has saved business more than £1 million per annum. [23648]

Mr. Boswell *[holding answer 2 April 1996]:* I refer to the reply given by my right hon. Friend the Chancellor of the Duchy of Lancaster on 2 April, *Official Report*, column *85*.

Slaughterhouses (Hygiene)

Mr. McLeish: To ask the Minister of Agriculture, Fisheries and Food what is his latest assessment of the hygiene standards in red meat slaughterhouses in England and Wales. [24446]

Mrs. Browning *[holding answer 2 April 1996]:* I have asked the chief executive of the Meat Hygiene Service to reply to the hon. Member direct.

Letter from J. McNeill to Mr. Henry McLeish, dated 3 April 1996:

As Chief Executive of the Meat Hygiene Service (MHS), your questions regarding hygiene standards in red meat slaughterhouses in England, Scotland and Wales have been passed to me for reply.[24446]

Since early 1994 the Hygiene Assessment System (HAS) has been operating in red meat slaughterhouses. HAS is the method developed by the State Veterinary Service to assess and monitor hygiene standards in slaughterhouses. HAS looks at the specific aspects of performance within five main categories—ante-mortem, slaughter and dressing, personnel and practices, maintenance and hygiene of premises and general conditions and management.

As you may know, the MHS took over responsibility for inspection in licensed fresh meat premises in England, Scotland and Wales on 1 April 1995. This work was previously undertaken by local authorities. One of the targets set by Ministers for the MHS in 1995/96 was to establish a benchmark of HAS scores in licensed slaughterhouses. Information on the benchmark scores will be published in the MHS annual report, due to be published later this year. Copies of that report will be placed in the Library of the House.

Meat Hygiene Service

Mr. McLeish: To ask the Minister of Agriculture, Fisheries and Food what was the total number of staff involved in the Meat Hygiene Service in each year since 1989–90; what are the planned numbers of staff for each of the years 1996–97 to 1998–99. [24448]

Mrs. Browning *[holding answer 2 April 1996]:* I have asked the chief executive of the Meat Hygiene Service to reply to the hon. Member direct.

Letter from J. McNeill to Mr. Henry McLeish, dated 3 April 1996:

As Chief Executive of the Meat Hygiene Service (MHS) your question concerning the number of staff employed by the MHS has been passed to me for reply.[24448]

The Meat Hygiene Service was launched on 1 April 1995 as an Executive Agency of MAFF. It took over from some 300 local authorities responsibility for enforcement of the hygiene and welfare at slaughter legislation in licensed meat premises in England, Scotland and Wales. Consequently there are no MHS staff numbers prior to that date.

The MHS currently employs 509 red meat and 163 poultry meat inspectors on a full time basis. In addition it utilises 69 inspectors (62 red meat; 7 white) on fixed term contracts of 100 weeks duration. There is also a pool of 222 staff (203 red; 19 white) used on a casual basis. As you will appreciate, these last two sets of figures in particular fluctuate according to demand.

These meat inspection staff are supervised by Official Veterinary Surgeons (OVSs). The MHS directly employs 39 OVSs and in addition contracts out work to 110 full time equivalent vets to supplement them. 3 vets are also utilised on a casual basis.

Staff numbers for future years will depend on the actual number of plants operating at the time and any policy developments, as recently on SBO controls. No definitive figures are available at this time.

Set-aside Land

Mr. Home Robertson: To ask the Minister of Agriculture, Fisheries and Food if he will take steps to allow farmers affected by the crisis in the beef industry to graze cattle on set-aside land until it is possible to market them. [23846]

Mrs. Browning *[holding answer 1 April 1996]:* EU rules do not currently allow the grazing of cattle on set-aside land between 15 January and 31 August. In light of the exceptional and unforeseen difficulties facing UK producers in marketing their cattle, we are discussing urgently with the Commission the possibility of varying this requirement on a temporary basis.

Beef (Labelling)

Mr. George Howarth: To ask the Minister of Agriculture, Fisheries and Food what proposals he has to require food processors and producers to clearly label products which involve the use of beef or beef by-products. [24090]

Mrs. Browning *[holding answer 1 April 1996]:* I refer the hon. Member to the reply given to the hon. Member for Wakefield (Mr. Hinchliffe) on 2 April 1996, *Official Report,* columns *196–97.*

We have no plans to impose further labelling requirements. Food suppliers may, of course, display additional information in relation to their products, provided that it is true and not misleading.

SOCIAL SECURITY

Executive Agencies

Mr. Cousins: To ask the Secretary of State for Social Security if he will list each site in Tyne and Wear, apart from local retail offices, at which staff of *(a)* the Contributions Agency, *(b)* the Benefits Agency and *(c)* the Information Technology Services Agency are employed; and if he will give the numbers employed by each agency in (i) actual numbers are (ii) whole-time equivalent numbers at (1) 31 December 1994 and (2) 31 December 1995. [13283]

Mr. Heald: The information is not available in the format requested.

Such information as is available is in the table.

Contributions Agency—actual staff figures at 31 January 1995

Location	*Number*
Longbenton	3,783
Broadway West	52
Kenton Bar	1,100
Scottish Life House	97
Hebburn	546
Lancaster House	112
Alfred Wilson House	532
Bellway	17
Durham House	Nil
Emerson House	Nil
Tyne View	Nil
Total	6,239

Mr. Cummings: To ask the Secretary of State for Social Security on how many occasions in each of the past five years Ministers in his Department have passed *(a)* hon. Members' letters and *(b)* hon. Members' questions to agencies for response; and what this figure is as a percentage of the total number of letters and questions received. [19416]

Mr. Burt: The information is not available in the format requested. Such information as is available is in the table.

Parliamentary Questions

Session	Total number of PQs tabled	Number answered by chief executives	Percentage[1]
1992–93	3,244	495	15
1993–94	2,359	442	19
1994–95	2,749	389	14
1995–96[2]	1,666	204	12

Notes:
[1] Rounded to nearest whole number.
[2] Up to 2 April 1996.
1. Figures for written answers were obtained by doing a manual count and may be subject to error.
Source: Departmental archive of written answers and ministerial correspondence.

Correspondence

Year	Total correspondence	Number of chief executive replies	Percentage[1]
1994	23,193	2,388	10
1995	19,645	2,192	11

Notes:
[1] Rounded to nearest whole number.
1. Figures for written answers were obtained by doing a manual count and may be subject to error.
Source: Departmental archive of written answers and ministerial correspondence.

Mr. Donohoe: To ask the Secretary of State for Social Security what was the total cost of answering parliamentary questions in each parliamentary Session since 1989–90. [22897]

Mr. Burt: This Department does not calculate the data requested and it could be provided only at disproportionate cost.

State Earnings-related Pension Scheme

Mr. Frank Field: To ask the Secretary of State for Social Security what is the cost of the new contracted-out SERPS rebate which will take effect from April 1997 for each of the next 10 years. [21440]

Mr. Heald: The contracted-out rebate is set for a maximum of five years only. Estimated costs for the financial years 1997–98 to 2001–2, in terms of national insurance fund revenue forgone, are set out in the table.

Cost of contracted-out rebate for 1997–98 to 2001–2

Year	£ billion (rounded)
1997–98	7.7
1998–99	7.8
1999–01	7.9
2000–01	8.0
2001–02	8.1

1. Costs are estimated on the basis of the levels of contracting out and other assumptions used for the Government Actuary's report on the Pensions Bill 1994, Cm 2714.
2. The amounts shown are the costs in respect of each financial year and have been rounded to one decimal place. In some cases, the costs will not fall in the financial year to which they relate. In particular, payments by the DSS to appropriate personal pensions and occupational money purchase schemes will not fall due until the following financial year.

Mr. Denham: To ask the Secretary of State for Social Security for how long after the date of commencement of the Pensions Act 1995 state scheme premiums may be paid in respect of earners who were employed in

Isle of Wight (Expenditure)

Mr. Barry Field: To ask the Secretary of State for Social Security, pursuant to his answer of 4 March 1996, *Official Report*, columns 77–78, what information his Department collates in respect of its expenditure on the Isle of Wight. [20072]

Mr. Burt: With the exception of housing benefit and council tax benefit expenditure as it relates to local authorities, the Department does not routinely collate any expenditure information on specific areas of Great Britain.

Parliamentary Questions

Mr. Donohoe: To ask the Secretary of State for Social Security how many questions were tabled to his Department in each Session since 1987–88; how many were not answered on grounds of disproportionate cost; what percentage of the total number of questions this represented; how many were not answered on the grounds that the information was not centrally available; and what percentage of the total number of questions this represented. [21146]

Mr. Burt: The information is not available in the format requested. Such information as is available is in the table:

Session	Total Parliamentary Questions tabled	Disproportionate cost replies as a Total	Not centrally available replies as a Percentage[1]	Total	Percentage[1]
1992–93	3,244	117	4	17	1
1993–94	2,359	129	5	6	0
1994–95	2,749	123	4	25	1
1995–96[2] up to 2 April 1996	1,666	126	8	11	1

Notes:
[1] Rounded to nearest whole number.
[2] Up to 2 April 1996.
Source:
Departmental archive of written answers; figures were obtained by a clerical count and may be subject to error.

contracted-out employment which occurred before that date in order to buy them back into the state earnings-related pension scheme for that period. [23126]

Mr. Heald: No specific time limit has been prescribed within which payment of state scheme premiums outstanding at 6 April 1997 should be made.

Occupational Pension Schemes

Mr. Denham: To ask the Secretary of State for Social Security what priority is to be given under the transitional arrangements applicable to the wind-up of occupational pension schemes which have insufficient assets to meet liabilities in full to *(a)* refunds of contributions to active members with fewer than two years' pensionable service and *(b)* increases to pensioners of pensions in payment guaranteed under scheme rules. [23162]

Mr. Heald: Draft regulations containing our proposals for the transitional arrangements which will operate for 10 years from April 1997 were issued for consultation on 22 January 1996. The consultation period ended on 4 March. We are considering the comments that we received.

The priority order of liabilities set out in the draft regulations under the transitional arrangements are:

(a) any liability attributable to the payment of voluntary contributions;

(b) any liability for pensions, excluding increases, where entitlement to payment has arisen;

(c) (i) any liability for accrued contracted-out rights in the scheme, which will be the whole of any accrual after April 1997 in a contracted-out scheme, excluding increases and any contribution equivalent premium to buy rights back into the state scheme; or

(ii) the return of contributions to members with less than two years pensionable service where that period of service has not given the member any accrued rights under the scheme;

(d) any liability for increases to pensions referred to in paragraph (b);

(e) any liability for increases to pensions referred to in paragraph (c);

(f) any liability for non-contracted out accrued rights together with any increases.

Mr. Denham: To ask the Secretary of State for Social Security (1) by what date his Department will make available to *(a)* employers and *(b)* occupational pension scheme administrators, the documentation required to be completed in relation to the contracting arrangements under the Pensions Act 1995; [23157]

(2) what advice his Department has issued as to the date by which employers should decide what *(a)* their future pensions arrangements and *(b)* their future contracting-out status should be to enable them to comply with the conditions of the new contracting-out provision. [23164]

Mr. Heald: The administration of national insurance is the responsibility of Mrs. Faith Boardman, the chief executive of the Contributions Agency. She will write to the hon. Member.

Letter from George Bertram to Mr. John Denham, dated 2 April 1996:

As the Chief Executive of the Contributions Agency is away from the office on annual leave, I have responsibility for answering questions about operational matters relating to the Agency and the National Insurance (NI) scheme in her absence.

I have been asked to reply to your questions relating to the advice and documentation arrangements for employers and occupational pension scheme administrators under the Pensions Act 1995. In view of the nature of the questions I have combined the response.

Guidance on the contracting-out arrangements for employers and occupational pension schemes is currently being prepared and consultation with the pensions industry will commence shortly. The guidance will be available by Autumn 1996 and will include examples of the documentation to be used.

New contracting-out arrangements for Contracted-Out Salary Related Schemes come into effect from April 1997, although there will be a transitional period to enable employers to complete the re-election exercise. The Agency will shortly issue information to schemes about the general handling and timetable. Employers' future pension arrangements are a matter for them, they will however need to ensure they take decisions on their contracting-out status in time to comply with this.

I hope you will find this reply helpful.

Mr. Denham: To ask the Secretary of State for Social Security what evidence he has that there are sufficient designers of pensions information systems software to enable contracted-out schemes to design and test their own software between the date at which his Department makes the detail of such an information system available to employers and occupational scheme administrators and the date of coming into force of the contracting-out provisions of the Pensions Act 1995. [23163]

Mr. Heald: The Department of Social Security has consulted pensions interests extensively throughout the process of developing the proposals contained in the Pensions Act 1995 and associated secondary legislation, so the broad structure of the new system is already well-known. The main regulations which impact on scheme administration will be laid before Parliament in the next few weeks; those on the new flexibilities for mixed benefit schemes will follow soon after. The Contributions Agency will shortly release draft guidance on the contracting-out arrangements from 6 April 1997, with the final guidance to be issued in the autumn. The guidance will include specimen forms.

We believe that this gives all concerned enough time to make the arrangements needed for contracting out from April 1997.

Mr. Denham: To ask the Secretary of State for Social Security if, following the commencement of the contracting-out provisions of the Pensions Act 1995, he will immediately withdraw a contracting-out certificate if it comes to his notice that *(a)* a contracted-out occupational scheme exceeds the limits on employer-related investments as a result of an increase in the value of the equity of the sponsoring employer as a result of a takeover bid, *(b)* that a contracted-out occupational pension scheme has inadvertently breached the conditions for contracting out or *(c)* that an occupational scheme used for contracting out exceeds the limit of employer-related investments as a result of a transaction between the sponsoring company and the company in whose equity the occupational scheme has invested. [23165]

Mr. Heald: From April 1997, contracting-out occupational pension schemes will be asked to provide an assurance, periodically, that the scheme complies with any prescribed restrictions on employer related investment.

The Contributions Agency, acting on behalf of the Secretary of State, will have the power to cancel a contracting-out certificate where any condition relating to the issue of that certificate is no longer satisfied. It is intended that there will be liaison between CA and the Occupational Pensions Regulatory Authority, once either agency becomes aware of a scheme that has breached any restriction in employer related investment. The purpose of this liaison will be to provide both bodies with the information necessary to carry out their tasks and to ensure a co-ordinated and consistent approach in any necessary investigation and/or action.

In-work Benefits

Mr. MacShane: To ask the Secretary of State for Social Security what was the total cost for each of the last five years of benefit payments made to employed claimants earning *(a)* less than £4,000 per annum, *(b)* £4,000 to £6,000 per annum and *(c)* £6,000 to £8,000 per annum. [21423]

Mr. Roger Evans: The available information in respect of the in-work benefits is in the tables. Annual earnings figures are not available. The tables provide information on benefit costs for claimants in weekly earnings bands corresponding approximately to the annual amounts requested, as recorded at the time of claim.

Table A: Claimants earning less than £80 a week

£ million

Benefit	*1990–91*	*1991–92*	*1992–93*	*1993–94*	*1994–95*
Family credit[1]	147	161	333	485	577
Disability working allowance[1]	[3]—	[3]—	[3]—	3	5
Housing benefit[2]	193	217	288	329	388
Community charge benefit[2]	105	46	44	[3]—	[3]—
Council tax benefit[2]	[3]—	[3]—	[3]—	66	75
Total	445	424	665	883	1,045

Notes:
[3] Represents periods before benefits were introduced/after they were replaced.
1. All figures are rounded to the nearest million and therefore may not sum.
Sources:
[1] 1996 departmental report.
[2] Estimates derived from the 1 per cent. Housing Benefit Management System sample annual inquiry.

Table B: Claimants earning £80 to £120 a week

£ million

Benefit	*1990–91*	*1991–92*	*1992–93*	*1993–94*	*1994–95*
Family credit[1]	148	174	230	276	314
Disability working allowances[1]	[3]—	[3]—	[3]—	1	2
Housing benefit[2]	44	57	69	74	85
Community charge benefit[2]	30	13	12	[3]—	[3]—
Council tax benefit[2]	[3]—	[3]—	[3]—	10	10
Total	222	244	311	361	411

Notes:
[3] Represents periods before benefits were introduced/after they were replaced.
1. All figures are rounded to the nearest million and therefore may not sum.
Sources:
[1] 1996 departmental report.
[2] Estimates derived from the 1 per cent. Housing Benefit Management System sample annual inquiry.

Table C: Claimants earning £120 to £160 a week

£ million

Benefit	*1990–91*	*1991–92*	*1992–93*	*1993–94*	*1994–95*
Family credit[1]	77	106	132	154	181
Disability working allowance[1]	[3]—	[3]—	[3]—	1	1
Housing benefit[2]	12	24	37	39	43
Community charge benefit[2]	16	6	7	[3]—	[3]—
Council tax benefit[2]	[3]—	[3]—	[3]—	4	4
Total	105	136	176	198	229

Notes:
[3] Represents periods before benefits were introduced/after they were replaced.
1. All figures are rounded to the nearest million and therefore may not sum.
Sources:
[1] 1996 departmental report.
[2] Estimates derived from the 1 per cent. Housing Benefit Management System sample annual inquiry.

Office Closures

Mrs. Ray Michie: To ask the Secretary of State for Social Security if he will list *(a)* the location and *(b)* the number of job losses or relocation of employees for each (i) Contributions Agency office and (ii) Benefits Agency office which has closed in Scotland since 1990. [21571]

Mr. Heald: The information requested is in the tables:

Contributions Agency

The contributions agency has continuously reviewed its field organisation in light of customer expectation, information technology developments, the drive for efficiency and reduced running costs

Location	*Year*	*Job losses*	*Relocated to*	*Number of staff*
Dundee West	1991	Nil	Dundee East	4
Glasgow—				
Anniesland			Glasgow City	1
Rutherglen			Glasgow South	3
Craigston			Glasgow South	4
Shettleston			Bridgeton	3
Kirkwall			BA[1]	1
Lerwick			BA[1]	1
Port Glasgow			Paisley	1
Coatbridge	1992	Nil	Hamilton	3
Cowdenbeath			Dunfermline	2
Edinburgh—				
West			Argyle House	7
East			Argyle House	6
North			Argyle House	6
South			Argyle House	6
City			Argyle House	13
Glasgow—				
Bridgeton			Glasgow City	3
Springburn			Glasgow City	1
Lanark			Wishaw	1
Leven			Kirkcaldy	2
Motherwell			Wishaw	3
Aberdeen South	1993	Nil	Aberdeen North	14
Dumbarton			Clydebank	3
Glasgow— Provan			Glasgow City	1
Airdrie	1994	Nil	Hamilton	5
East Kilbride			Hamilton	5
Glasgow—				
Southside			Glasgow South	4
Lauriston			Glasgow South	7
Irvine			Ayr	4
Johnstone			Paisley	4
Wishaw			Hamilton	3
Arbroath	1995	Nil	Dundee	3
Clydebank			Paisley	2
Greenock			Paisley	6
Kilmarnock			Ayr	3
Dunfermline	1996	Nil	Kirkcaldy	2

1. No actual job losses; staff at Kirkwall and Lerwick transferred to the Benefits Agency (BA) and the remainder were relocated in Contributions Agency locations.

2. Data is provisional and subject to change.

Benefits Agency: The following rationalisation of the Benefits Agency estate was undertaken as part of the drive for increased efficiency

Location	*Year*	*Job losses*	*Relocated to*	*Number of staff*
Newton Stewart	1995	Nil	Part time outlet	Nil
Dundee West	1993	4	Staff relocated within Dundee. Job losses were all cleaners	92
Aberdeen	1993	Nil	Staff relocated to Greyfriars House in Aberdeen	71
Lothian West (Edinburgh)	1995–96	Nil	Staff relocated to Bathgate	50

1. Data is provisional and subject to change.

Departmental Contractors and Suppliers

Mr. MacShane: To ask the Secretary of State for Social Security what measures his Department is taking to ensure that its contractors and suppliers *(a)* pay their employees a wage which ensures such employees do not need supplementary welfare payments via various state benefits and *(b)* meet workplace health and safety regulations; and if he will make a statement. [21462]

Mr. Burt: Wage levels are considered along with other information which collectively allows the Department to determine a contractor's ability to provide a work force at the required skills level. However, terms and conditions of employment, including wages, are a matter between the contractor or supplier and his employees, subject of course to any relevant legal requirements. Compliance with health and safety requirements is a legal requirement for the contractor or supplier. The Department always seeks assurances that contractors are fully aware of their obligations in this matter.

National Insurance

Mr. Frank Field: To ask the Secretary of State for Social Security what would have been the cumulative loss of revenue to the national insurance fund if the employee contribution rates for 1978–79 had remained in force up to 1996–97. [21697]

Mr. Heald: If the employees' contribution structure, rates and level of contracted-out rebates in force in 1978–79 remained in force from 1988–89 up to 1996–97, about £26.5 billion less would have been paid into the national insurance fund. There is insufficient data to provide a reliable estimate in respect of the period prior to 1988–89.

Source:

Government Actuary's Department.

Retirement Pensions

Mr. Chris Smith: To ask the Secretary of State for Social Security what would be the cost to the Exchequer of enabling those of retirement age to claim their retirement pensions on the date of attainment of pension age rather than the following Monday. [22100]

Mr. Heald: I refer the hon. Member to the reply that I gave him on 19 March, *Official Report*, column *181*.

Mr. Jon Owen Jones: To ask the Secretary of State for Social Security what estimate he has made of the extra cost to public funds in the current year of paying the state pension from the date of the birthday on which the person attains pensionable age. [22532]

Mr. Heald: I refer the hon. Member to the reply that I gave the hon. Member for Islington, South and Finsbury (Mr. Smith) on 19 March, *Official Report*, column *181*.

Benefits Agency Offices (Wales)

Mr. Llwyd: To ask the Secretary of State for Social Security how many Benefits Agency offices in Wales are located in rural districts; and if he will list them. [22378]

Mr. Roger Evans: As the interpretation of "rural districts" is subjective, we are unable to give a definitive reply on what constitutes a rural district.

There are a total of 75 benefit offices located in Wales, 34 of which are main benefit processing sites and 41 of which are public caller outlets. They are as follows:

Main processing sites	*Public caller outlets*
Caernarfon	Ystradgynlais
Aberystwyth	Pontlottyn
Llangefni	Tredegar
Newtown	Brecon
Porthmadog	Bargoed
Dolgellau	Port Talbot
Holyhead	Abertillery
Wrexham	Monmouth
Colwyn Bay	Abergavenny
Deeside	Pontypool
Rhyl	Chepstow
Llanelli	Blaenavon
Ammanford	Bangor
Carmarthen	Barmouth
Haverfordwest	Blaenau Ffestiniog
Pembroke Dock	Cardigan
Swansea	Knighton
Morriston	Lampeter
Neath	Llandrindod Wells
Porth	Llandysul
Aberdare	Machynlleth
Bridgend	Pwllheli
Pontypridd	Welshpool
Tonypandy	Ferndale
Cardiff Central	Maesteg
Barry	Mountain Ash
Cardiff East	Treorchy
Cardiff West	Gorseinon
Merthyr Tydfil	Pontardawe
Blackwood	Pontardulais
Caerphilly	Kidwelly
Ebbw Vale	Llandeilo
Newport	Tumble
Cwmbran	Denbigh
	Holywell
	Llandudno
	Llangollen
	Mold
	Ruthin
	Shotton

Yorkshire Regional Health Authority

Mr. Cousins: To ask the Secretary of State for Social Security if he will ask the Contributions Agency investigation and fraud teams to inquire into the evasion of national insurance contributions by former chairmen and non-executive directors of Yorkshire regional health authority. [22933]

Mr. Heald: The administration of the Contributions Agency is a matter for Mrs. Faith Boardman, the chief executive. She will write to the hon. Member.

Letter from George Bertram to Mr. Jim Cousins, dated 2 April 1996:

As the Chief Executive of the Contributions Agency is away from the office on annual leave, I have responsibility for answering questions about operational matters relating to the Agency in her absence.

I have been asked to reply to your question to the Secretary of State if he will ask the Contributions Agency investigation and fraud teams to inquire into evasion of National Insurance contributions by former Chairmen and non executive Directors of Yorkshire Regional Health Authority.

Together with the Inland Revenue under our general rules of confidentiality I cannot discuss individual cases.

It may be helpful if I explain that most National Insurance contributions are collected by the Inland Revenue on behalf of the Contributions Agency. Investigations into PAYE and National Insurance compliance may be carried out by either Department when there is evidence of irregularities.

Child Support Agency (Computer Systems)

Mr. Bayley: To ask the Secretary of State for Social Security what computer system enhancements have taken place to allow the Child Support Agency to handle the departures scheme; who supplied the enhancements; what they cost; and to what extent they were based on existing computer packages. [23330]

Mr. Andrew Mitchell: The administration of the Child Support Agency is a matter for the chief executive, Miss Ann Chant. She will write to the hon. Member.

Letter from Ann Chant to Mr. Hugh Bayley, dated 2 April 1996:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about the Child Support Agency computer system.

The existing Child Support Computer System (CSCS) has been upgraded to incorporate the new functions associated with the Departures scheme. The enhancements were supplied by the existing CSCS supplier, EDS, working as part of a joint development team of Child Support Agency, Information Technology Services Agency and EDS staff.

The total cost of the enhancements are "commercial in confidence".

A number of Departmental approved computer packages, which form part of the Departments IT infrastructure, have been used to integrate with the mainframe CSCS. These are Windows, ABC Flowcharter and Autoroute. No enhancements were made to these products. The enhancements to the CSCS are being developed through Rapid Application Development techniques by use of the Huron product.

I hope this is helpful.

Advice Lines

Ms Walley: To ask the Secretary of State for Social Security what use was made of the 0800 advice service across north Staffordshire in 1995–96; what was the cost of the service; what mechanism he has adopted to assess the value of the service to claimants; and if he will make a statement as to the continued availability of this service. [23723]

Mr. Roger Evans: This is a matter for Peter Mathison, chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Ursula Brennan to Ms Joan Walley, dated 2 April 1996:

As Peter Mathison is on leave at the moment, the Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking what use was made of the 0800 advice service across North Staffordshire in 1995–96; what costs were involved; what mechanism he has adopted to assess the value of the service to claimants; and if he will make a statement as to the continued availability of this service.

The information is not available in the form requested, this is because the Freeline, Social Security service is operated on a national basis. Since November 1994 customers dialling the Freeline number can be connected to any one of the Freeline Centres across the country.

Annex A gives the national details for the number of calls answered and the cost.

Freeline, Social Security is covered in the Benefits Agency national customer survey. The National Freeline Co-ordinators Office also conduct their own annual customer survey and they have a formal complaints procedure.

A review of the service is currently looking at options for handing these types of enquiries within the overall benefit advice service.

I hope you find this reply useful.

Annex A: National Freeline—Performance/costs 1995–96

(1) Call answered	*(2) Costs*
3.2 million	£6.6 million[1]

[1] Staff/running costs (including telecomms). Figures are provisional and subject to change.

Figures are rounded to nearest 100,000.

Mr. Frank Field: To ask the Secretary of State for Social Security how many calls the Benefits Agency's freeline benefit advice line receives on average per year; how many calls it received for each year of its operation; and how many calls he estimates will be received in the next two years. [23819]

Mr. Evans: This is a matter for Peter Mathison, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Ursula Brennan to Mr. Frank Field, dated 2 April 1996:

As Peter Mathison is on leave at the moment, the Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking how many calls the Benefits Agency's (BA's) freeline benefit advice line receives on average per year; how many calls it received for each year of its operation; and how many calls he estimates will be received in the next two years.

Freeline, Social Security has been operating since 1984, however information about the number of calls is available only from 1993. The number of calls received has been taken to mean the number of calls answered by an advisor.

The average number of calls received is approximately 2.4 million per year and the number of calls received is shown in the list below:

1993–94: 1.5 million

1994–95: 2.6 million

1995–96: 3.2 million.

These figures are rounded to the nearest 100,000.

The target set for the number of calls to be answered for 1996–97 has been set at 3.4 million, a target has not been set for 1997–98. However a review of the service is currently underway.

I hope you find this reply helpful.

Lump Sum Widow's Payment

Mr. Chris Smith: To ask the Secretary of State for Social Security what would be the cost to the Exchequer of *(a)* increasing the lump sum widow's payment to £1,500 and *(b)* thereafter uprating this new payment annually in line with the retail price index. [23587]

Mr. Heald: The extra cost of increasing the widow's payment to £1,500 would be approximately £21 million in 1996–97 and £22 million in 1997–98[1].

Uprating in 1997–98 would cost approximately £650,000 per 1 per cent. increase.

Note:

[1] Source: Government Actuary's Department. Figures rounded to nearest million.

Carpal Tunnel Syndrome

Mrs. Helen Jackson: To ask the Secretary of State for Social Security if he will extend industrial disease No. A12 to include frequent and repeated movements of the hand and wrist as a cause of carpal tunnel syndrome, in addition to the use of hand-held vibrating tools. [23972]

Mr. Roger Evans: There are no plans at present to extend the current terms of prescription in respect of carpal tunnel syndrome.

Mrs. Jackson: To ask the Secretary of State for Social Security how many cases of carpal tunnel syndrome were granted compensation under industrial injuries legislation in each of the last five years. [23971]

Mr. Evans: The information is not available in the format requested. Carpal tunnel syndrome in respect of hand-held vibrating tools was added only in April 1993 to the list of prescribed diseases for which industrial injuries disablement benefit can be paid. The available information is set out in the table:

Results of initial medical assessments where carpel tunnel syndrome is diagnosed from 19 April 1993 to 30 September 1995

Period	*All cases*	*0 per cent.*[1]	*1–13 per cent.*[2]	*14–100 per cent.*
19 April 1993 to 31 December 1993	254	205	40	9
1 January 1994 to 31 December 1994	434	116	263	55
1 January 1995 to 30 September 1995	241	44	158	39
Grand total	929	365	461	103

[1] Cases where there is no loss of faculty or it is assessed at less than 1 per cent.

[2] Benefit is normally paid only for assessments of 14 per cent. or more. Entitlement to benefit could arise if an assessment in this range could be aggregated with one or more other assessments to reach 14 per cent.

1. Based on 100 per cent. count of cases.

Reduced Earnings Allowance

Ms Walley: To ask the Secretary of State for Social Security if he will postpone his decision to introduce the withdrawal of reduced earning allowance to women who have reached the age of 60 years until it has been subjected to parliamentary scrutiny. [24253]

Mr. Roger Evans: No. Parliament agreed, in passing the 1988 Social Security Act, that compensation for loss of earnings through reduced earnings allowance should continue past pension age only for those men and women who continued in regular employment. Otherwise it should cease and be replaced by retirement allowance payable at 25 per cent. of rate of reduced earnings allowance.

Computers

Mr. David Atkinson: To ask the Secretary of State for Social Security if he will make a statement on the problem of non-recognition by computers of the year 2000 with regard to his Department's computers and those for which it is responsible. [24401]

Mr. Burt: The Department is currently assessing the impact of the millenium on its information technology systems and will work closely with suppliers to ensure that any necessary changes to our benefits delivery system are carried out well in advance of the change of the century.

One-parent Benefit

Ms Jowell: To ask the Secretary of State for Social Security what savings his Department expects to make by freezing one-parent benefit and lone-parent premium. [22728]

Mr. Andrew Mitchell: Some £15 million per year from 1996–97.

Ms Jowell: To ask the Secretary of State for Social Security what is his time scale for the phasing out of one-parent benefit and lone-parent premium. [22725]

Mr. Mitchell: Over time, the intention is to narrow the existing gap between benefits which go to lone parents and those which go to couples. Decisions on the pace and time scale of this process will be taken from year to year. Draft regulations to implement our proposals to restructure family benefits have been referred to the Social Security Advisory Committee. Subject to completion of the statutory consultation procedures and to Parliamentary approval, the draft regulations are expected to be laid in May/June and to come into force in April 1997.

Retention and Regeneration Packages

Mr. Cousins: To ask the Secretary of State for Social Security what plans he has to establish retaining and regeneration packages to assist staff and locations affected by proposed run-downs in his Department's employment after 1 April. [23701]

Mr. Burt: It is inevitable that Departmental efficiencies will result in staff reductions. However, it is too early to assess the possible impact of this on staff or particular localities.

Lowered Standard of Occupation Allowance

Mr. McNamara: To ask the Secretary of State for Social Security what is the number of persons in receipt of the allowance for lowered standard of occupation in each year for the past 10 years. [24050]

Mr. Heald: The information is in the table:

Numbers in receipt of allowance for lowered standard of occupation at 31 December

Year	*Number*
1986	10,886
1987	10,827
1988	10,670
1989	10,523
1990	10,395
1991	10,487
1992	10,866
1993	11,876
1994	13,437
1995	14,200

Mr. McNamara: To ask the Secretary of State for Social Security what has been the annual cost of the allowance for lowered standard of occupation for the past 10 years and the estimated cost for the coming financial year. [24052]

Mr. Heald: The information is not available in the format requested.

The estimated cost for 1996–97, rounded to the nearest £5 million, will be around £25 million at cash prices.

Mr. McNamara: To ask the Secretary of State for Social Security what provision exists for an appeal against the withdrawal of the allowance for lowered standard of occupation. [24054]

Mr. Heald: There is no right of appeal against a decision on behalf of the Secretary of State on a war pension supplementary allowance. Such decisions may be formally challenged only by judicial review.

Mr. McNamara: To ask the Secretary of State for Social Security how many persons in receipt of allowances for lowered standard of occupation have been offered re-engagement in the regular or reserve forces. [24049]

Mr. Heald: The information is not available.

Mr. McNamara: To ask the Secretary of State for Social Security (1) how many persons have had their allowance for lowered standard of occupation cancelled on the grounds that their pensioned disablement does not prevent them from carrying out their service occupation; [24051]

(2) how many persons were given a medical examination prior to the decision being taken in deciding to revoke the allowance for lowered standard of occupation. [24053]

Mr. Heald: A total of 1,301 pensioners are to have their allowance cancelled on the ground that the war pensioned disablement does not prevent them following their regular service occupation. In order to determine their entitlement to a war disablement pension or gratuity under the war pensions scheme, a medical or audiometric

examination is normally necessary. Records of these examinations were available when eligibility for the allowance for lowered standard of occupation was reviewed.

Waste Minimisation

Ms Ruddock: To ask the Secretary of State for Social Security if he will make a statement on progress in establishing an office waste minimisation strategy for his Department, indicating the targets set. [24514]

Mr. Roger Evans: At their meeting on 29 January 1996, green ministers agreed that the Department of the Environment would complete its waste measurement pilot scheme and by 31 March 1996 set realistic targets for future waste minimisation. Departments would use this information and the Department of the Environment's waste minimisation target figures to establish their own waste minimisation targets by the end of 1996.

Within the Department of Social Security, a pilot scheme is currently operating in selected Benefits Agency offices to examine a number of key environmental issues including waste minimisation. Findings will be reported later this year, when areas for improvement and targets for waste minimisation will be considered.

EU Initiative to Combat Poverty and Social Exclusion

Mr. Amess: To ask the Secretary of State for Social Security, pursuant to his written answer to the hon. Member for Gateshead, East (Ms Quin) on 6 February, *Official Report,* column *178,* if the European Commission has provided a justification for expenditure without legal authority following the Government's inquiry about the legal basis of their funding for projects seeking to combat social exclusion. [25182]

Mr. Lilley: The European Commission has not provided a legal justification for these particular expenditure plans, made without the approval of the Council of Ministers. The Government have therefore this week made an application to the European Court of Justice challenging the legal basis of this expenditure. We believe that other member states share our concern. Commission proposals for a further Community spending programme on social exclusion projects were previously blocked in the Council of Ministers by Germany and the UK.

The challenge is not aimed at stopping sensibly planned funding in support of disadvantaged people. The Government are already funding many projects to combat social exclusion in the UK through inner city challenge, adult training, health care, housing and literacy programmes.

Written Answers to Questions

Tuesday 16 April 1996

DUCHY OF LANCASTER

Waste Minimisation

Ms Ruddock: To ask the Chancellor of the Duchy of Lancaster if he will make a statement on progress in establishing an office waste minimisation strategy for his Department indicating the targets set. [24501]

Mr. Freeman: My Department supports fully the Government's waste strategy set out in the White Paper, "Making Waste Work," Cm 3040. In accordance with the aim of the White Paper, my Department is working towards setting waste minimisation targets by the end of 1996.

Ms Ruddock: To ask the Deputy Prime Minister if he will make a statement on progress in establishing an office waste minimisation strategy for his Department, indicating the targets set. [24507]

The Deputy Prime Minister: I refer the hon. Member to the reply given today by my right hon. Friend the Chancellor of the Duchy of Lancaster.

Environmental Impact Assessment

Ms Ruddock: To ask the Deputy Prime Minister what action his Department is taking to assess the environmental impact of its policies and programmes. [25337]

Mr. Freeman: Procedures within my Department provide for the environmental impact of policies and programmes to be assessed on a regular basis.

Sustainable Development

Ms Ruddock: To ask the Deputy Prime Minister (1) if the promotion of sustainable development is one of his Department's objectives; [25335]

(2) what action his Department is taking to promote sustainable development. [25336]

Mr. Freeman: The objective of promoting sustainable development is an integral part of my Department's environmental strategy, which is supported by a comprehensive departmental action plan. The main elements of that plan are to:

- maximise the efficiency of energy usage;
- minimise wastage in the use of goods and products, and maximise recycling of waste materials;
- maximise procurement of goods and supplies which avoid dependence in their production on non-renewable resources or pollutant substances; and
- maximise the purchase of products based on recycled materials.

HOME DEPARTMENT

Doncaster Prison

Mr. Redmond: To ask the Secretary of State for the Home Department how many complaints the prisons ombudsman has received in connection with Doncaster prison since it opened; what were the nature of the complaints; and if he will list those complaints that have been upheld. [24487]

Miss Widdecombe: Since the prisons ombudsman began to take complaints from prisoners on 24 October 1994, he has received 26 complaints from Doncaster. Twenty-two of these were ineligible—21 because the prisoner had not exhausted the internal request/complaint system and one because it came from a third party. Investigations were started on the remaining four cases. One complaint was later withdrawn by the prisoner, two complaints were not upheld and one complaint was upheld. Of the complaints received, 10 involved complaints about transfers, seven were about property and five concerned home leave. The remaining four involved a medical matter, an assault, visits and an adjudication.

I refer the hon. Member to my reply to him on 28 November 1995, *Official Report*, column *661*, which gave details of the one complaint about Doncaster the prisons ombudsman has upheld.

Prisoners' Brains

Mr. Cohen: To ask the Secretary of State for the Home Department if he will review the routine removal of brains and other body organs in post mortems and the arrangements for their return to the body; and if he will make a statement. [24463]

Mr. Sackville: The removal of the brain, or other body organs, is a standard procedure in many post mortem examinations, in accordance with Royal College of Pathology guidelines and the clinical judgment of the pathologist. The procedure may be essential for determining the medical cause of death, even in cases where this may not at first appear connected with the condition of the organs in question. We therefore have no plans for a specific review, but these issues will be raised as part of wider discussions with the Department of Health later this year.

Prisons (Dye Stamping)

Mr. Cox: To ask the Secretary of State for the Home Department if he will list the prisons in England and Wales that use dye stamping on the hands of visitors when visiting prisons and their reasons for using this system. [24557]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Tom Cox, dated 16 April 1996:

The Home Secretary has asked me to reply to your recent Question about prisons that use dye stamping on the hands of visitors visiting prisons in England and Wales.

The most recent date for which centrally held information is available on the use of dye stamping on the hands of visitors is August 1995. This information is given in the attached table.

The system, which uses ultra violet marker dye, is designed to enable staff to differentiate between visitors and prisoners and to prevent prisoners leaving the visits room or prison either with, or in the place of, a visitor.

Other establishments use alternative methods such as biometric identification, but dye marking is the cheapest and most easily operated system of visitor identification available.

Prisons in England and Wales using dye-stamping on the hands of visitors, visiting prisons in August 1995.

Aylesbury
Belmarsh
Birmingham
Brinsford
Bullingdon
Cardiff
Erlestoke
Exeter
Featherstone
Frankland
Gloucester
Guys Marsh
Holme House
Holloway
Hull
Lincoln
Littlehey
Liverpool
Manchester
The Mount
Northallerton
Norwich
Nottingham
Onley
Pucklechurch
Risley
Rochester
Shepton Mallet
Shrewsbury
Swansea
Wandsworth
Wayland
Winchester
Wormwood Scrubs
[1]Feltham and Long Lartin prisons used dye stamping on the hands of prisoners receiving visits.

Smoke Detectors

Mr. Llwyd: To ask the Secretary of State for the Home Department how many fires in *(a)* Wales, *(b)* Scotland, *(c)* Northern Ireland, *(d)* England and *(e)* the United Kingdom occurred in buildings which did not have smoke detectors in the last year for which figures are available; and if he will make a statement. [24615]

Mr. Sackville: The information prior to 1994 is not available. From 1994, information was collected for the first time. Data from this new collection have not been fully processed.

Fire Service

Mr. Llwyd: To ask the Secretary of State for the Home Department how many fire officers were injured in the course of their duty in 1995; and if he will make a statement. [24602]

Mr. Sackville: In England and Wales in the financial year 1994–95, the latest year for which figures are available, one fire officer died and 737 were seriously injured in the line of duty. Serious injuries are defined as those which result in absence from duty for at least one month or two weeks or more of hospitalisation.

Detainees

Mr. Cox: To ask the Secretary of State for the Home Department what was the number of *(a)* men and *(b)* women being held in detention centres in England and Wales on issues relating to immigration on 30 March. [24556]

Mr. Kirkhope: There were 312 males and 55 females detained solely under Immigration Act powers in Immigration Service detention centres in England and Wales on 30 March. These figures exclude persons detained in Prison Service establishments and police cells.

Liquor Licences

Mr. Steen: To ask the Secretary of State for the Home Department how many premises are licensed to sell intoxicating liquor in *(a)* England and Wales and *(b)* Scotland. [23663]

Mr. Kirkhope: The information requested, with respect to England and Wales, is contained in table 1 of the Home Office statistical bulletin "Liquor Licensing Statistics, England and Wales, July 1994—June 1995", a copy of which is in the Library. Information on the number of licensed premises in Scotland is the responsibility of my right hon. Friend the Secretary of State for Scotland.

Private Finance Initiative

Ms Janet Anderson: To ask the Secretary of State for the Home Department what estimate he has made of funding to be made available through the private finance initiative to his Department for *(a)* 1995–96, *(b)* 1996–97 and *(c)* 1997–98. [24886]

Mr. Howard: My latest estimates of capital funding generated by the private finance initiative—PFI—are as follows:

	£ million
1995–96	20.0
1996–97	99.5
1997–98	229.5

Taken with the transfer to the private sector of the risk in development and operations involved in PFI projects, the expected private funding will make a valuable contribution to my Department's work.

Ethnic Minorities

Mr. Pike: To ask the Secretary of State for the Home Department what are his Department's proposals for section 11 funding for 1996–97; and if he will make a statement. [24960]

Mr. Kirkhope: With the exception of a very small number of projects which reached the end of their planned life on 31 March, all approved projects have continued into the 1996–97 financial year. Notifications of allocations for 1996–97 were issued to all grant recipients on 26 February. The figures included adjustments to reflect the fact that there have been movements in costs.

Consultancy Contract (Probation Qualification)

Mr. Byers: To ask the Secretary of State for the Home Department if he will make a statement on the circumstances surrounding the award of a consultancy contract to KPMG to advise on the development of the new probation qualification; and if it was awarded after competition. [25339]

Mr. Sackville: A contract was awarded to KPMG in January 1996 to advise on the competences required for probation officers on appointment. The contract followed a competitive procurement. The Central Probation Council and the Association of Chief Officers of Probation were invited to participate in the procurement, but declined to do so.

Compliance Cost Assessments

Ms Ruddock: To ask the Secretary of State for the Home Department how many compliance cost assessments were produced by his Department in 1995; and if he will place copies in the Library. [25273]

Mr. Howard: Three compliance cost assessments were produced by my Department in 1995. Copies are available in the Library.

Charity Commission

Mr. Morley: To ask the Secretary of State for the Home Department what is the current remuneration of the chair of the Charity Commission; how often he meets representatives of the Charity Commission; and who sets the Charity Commission's terms of reference. [25251]

Mr. Sackville: The Charity Commission is a non-ministerial department whose powers and duties are set out in the Charities Act 1993. The head of the department is the Chief Charity Commissioner who, with his fellow commissioners, is appointed by, and accountable for, the commission's general efficiency to my right hon. and learned Friend. The post of Chief Charity Commissioner is currently held by Mr. Richard Fries, appointed by the then Home Secretary in 1992. His current salary is £69,783 per annum. He, other commissioners and commission staff meet Ministers to discuss particular topics when the occasion requires.

As explained by my right hon. Friend the Prime Minster in answer to the hon. Member for Hexham (Mr. Atkinson) on 1 April, *Official Report,* column *1,* ministerial responsibility in relation to the Charity Commission is being transferred to my right hon. Friend the Secretary of State for National Heritage as soon as the necessary financial and other arrangements can be made.

Volcano (Montserrat)

Mr. Corbyn: To ask the Secretary of State for the Home Department what arrangements have been made for people from Montserrat to enter the United Kingdom in the event of a natural disaster; and if he will make a statement. [25486]

Mr. Kirkhope: The potential immigration implications are being kept under review.

EC (Civil Service Employment)

Mr. McNamara: To ask the Secretary of State for the Home Department what are the implications of the European Communities (Employment in the Civil Service) Order 1991 for service in the police and prison services. [22918]

Mr. Howard *[holding answer 28 March 1996]:* The European Communities (Employment in the Civil Service) Order 1991 makes it possible for the Prison Service in England and Wales to appoint suitable candidates who are nationals of other European Union member states. The order does not apply to the police service.

Fire Service Funding

Mr. Hanson: To ask the Secretary of State for the Home Department if he will meet with the chairman of North Wales fire authority to discuss fire service funding. [23432]

Mr. Sackville *[holding answer 29 March 1996]:* My right hon. and noble Friend wrote to the hon. Member today to explain that she would be happy to meet the North Wales fire authority.

Deregulation

Mr. Steen: To ask the Secretary of State for the Home Department, pursuant to the oral answer of the Chancellor of the Duchy of Lancaster to the hon. Member for Colchester, North (Mr. Jenkin) on 26 February, *Official Report,* column 576, if he will list those statutory instruments and Acts of Parliament which have been gold plated in the past five years; and what steps he is taking to amend or repeal each piece of gold plating on existing legislation. [23628]

Mr. Howard *[holding answer 1 April 1996]:* The Government's policy is not to add unnecessary burdens when implementing European Community directives. Departments take every opportunity to review existing legislation in the light of this. Officials are currently working on revised guidance to enable Ministers to see where implementing legislation goes beyond the underlying European Community directive.

Waste Minimisation

Ms Ruddock: To ask the Secretary of State for the Home Department if he will make a statement on progress in establishing an office waste minimisation strategy for his Department, indicating the targets set. [24510]

Mr. Howard *[holding answer 3 April 1996]:* Work on waste minimisation strategy for the Home Office is to begin shortly.

Suicides

Mr. Hanson: To ask the Secretary of State for the Home Department, pursuant to his answer of 18 March, *Official Report*, column 2, at assessment he has made of the reasons for the *(a)* rise in male suicides and *(b)* fall in female suicides. [24136]

Mr. Bowis: I have been asked to reply.

The suicide rate among young men under the age of 25 rose during the 1970s and 1980s but has since stabilised and that for some groups of older men has declined. The suicide rate in older women is also declining, and that in young women is remaining steady. The overall rate of suicide has declined by 4 per cent. between 1990 and 1994.

The reasons for these trends is being explored. Meanwhile, in pursuing "The Health of the Nation" target of reducing the rate of suicide by 15 per cent. by 2000, we are undertaking a number of initiatives, including focusing on particular occupational and demographic groups which appear to be at higher risk of suicide.

TREASURY

Works of Art

Mr. Wilson: To ask the Chancellor of the Exchequer if he will place in the Library a copy of the register of conditionally exempt works of art. [22558]

Mr. Jack: I refer the hon. Member to the answer given to the hon. Member for Pendle (Mr. Prentice) on 20 June 1995, *Official Report*, column *149*. The Inland Revenue is considering a technical feasibility study, which it has just received, with the aim of making the register available on the Internet.

Pensions

Mr. Denham: To ask the Chancellor of the Exchequer what guidance his Department has given to public service schemes, on the application of equal treatment requirements, to guaranteed minimum pensions accruing from pensionable service completed between 17 May 1990 and 5 April 1997. [23584]

Mr. Waldegrave: None.

Land (Access)

Mr. Peter Bottomley: To ask the Chancellor of the Exchequer how members of the public can ascertain what land is accessible under the tax-exempted arrangement. [23815]

Mr. Jack: I refer my hon. Friend to the answer given to the hon. Member for Sherwood (Mr. Tipping) on 29 March, *Official Report*, columns *776–77*.

Manufactured Goods

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer if he will make a statement on the level of *(a)* imports and *(b)* exports of manufactured goods in the fourth quarter of 1995. [24825]

Mrs. Angela Knight: In the year to 1995, fourth quarter, the volume of exports of manufactured goods rose by 3¼ per cent. while the volume of imports of manufactured goods fell by ¾ per cent.

Drug Imports

Mr. Flynn: To ask the Chancellor of the Exchequer what is his estimate of the totals of class A and class B drugs confiscated at the United Kingdom's borders in each of the past five years; and what estimate he has made of the percentage these figures constitute of the totals imported into the United Kingdom. [24839]

Mr. Heathcoat-Amory: HM Customs and Excise has primary responsibility for preventing and detecting the illegal importation and exportation of controlled drugs. Customs seizes illicit consignments both at the United Kingdom's borders and inland, the latter frequently resulting from controlled deliveries or following an initial border seizure. The Department does not hold at the centre information broken down between border and inland seizures, but the following information on total seizures may be helpful.

The weights of drugs seized in each of the past five calendar years and their estimated street level value when they were seized were:

Year	*Class A (kg)*	*Value (£)*	*Class B (kg)*	*Value (£)*
1995	2,604	254,579,620	53,039	202,945,811
1994	3,301	298,730,928	47,761	251,691,927
1993	1,549	121,761,673	52,633	244,852,477
1992	2,702	403,908,338	44,673	141,149,414
1991	1,763	218,660,819	27,463	89,266,608

The proportion of the total quantity of illicit drugs targeted on the UK which is intercepted by Customs cannot, by the very nature of the trade, be estimated with any degree of confidence. While there has been academic research into the size of the UK drugs market, this has largely been based on an extrapolation from the numbers of registered heroin addicts. Similar use data are not available for other drug types. This research does not provide a sound basis on which any reliable performance indicator could be developed by Customs. It is, however, known that for each kilogram of drugs sized, more is prevented from entering the United Kingdom by the subsequent investigation of the trafficking organisation responsible for the smuggling attempt, the arrest of those involved and the confiscation of their drug-related assets.

Compliance Cost Assessments

Ms Ruddock: To ask the Chancellor of the Exchequer what compliance cost assessment has been produced for the White Paper, "Better Accounting for the Taxpayer's Money"; if it is publicly available; and if he will place a copy in the Library. [25269]

Mr. Heathcoat-Amory: No compliance cost assessment has been produced for the White Paper, "Better Accounting for the Taxpayer's Money".

Labour Statistics

Mr. Jim Cunningham: To ask the Chancellor of the Exchequer how many (i) male and (ii) female employees in the west midlands were in *(a)* full-time, *(b)* part-time, *(c)* temporary and *(d)* permanent employment in each year since 1979. [24999]

Mrs. Angela Knight: The information requested can be obtained via the Quantime Labour Force Survey service available in the Library.

Manufacturing Industry

Mr. Jim Cunningham: To ask the Chancellor of the Exchequer how many people in the west midlands were employed in manufacturing industry in each year since 1979; and for each year what was the percentage change over the previous year. [25176]

Mrs. Angela Knight: Information showing the number of jobs is provided in the table. Comparable information prior to 1981 is not available.

Employees in manufacturing in the west midlands region: December[1]

Year	*Level (thousands)*	*Year-on year (per cent.)*
1981	716	–6
1982	672	–3
1983	651	–1
1984	646	–1
1985	635	–2
1986	614	–3
1987	614	–3
1988	626	2
1989	634	1
1990	618	–3
1991	559	–10
1992	505	–10
1993	500	2
1994	211	2
1995	515	1

[1] Unadjusted.*Source*
ONS.

Company Directors

Mr. Pearson: To ask the Chancellor of the Exchequer how many taxpayers are company directors according to information supplied on form X of the Inland Revenue survey of personal incomes; and what is the average income from dividends from shares in United Kingdom companies and unit trusts of those taxpayers who are directors. [24929]

Mr. Jack: Based on the survey of personal incomes for 1993–94, the number of company directors liable to income tax is 550,000. Their average income from dividends from shares in UK companies and unit trusts in around £4,700.

Convergence Programme

Mr. Matthew Banks: To ask the Chancellor of the Exchequer what plans he has to update the convergence programme produced by the United Kingdom in March 1995. [25539]

Mr. Kenneth Clarke: An updated convergence programme is today being submitted to the European Commission. Copies of the programme are being placed in the Libraries of the House.

Investment Tax Allowance

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what is his estimate of the annual cost to the Exchequer of introducing an investment tax allowance of £200,000 per annum for companies. [22828]

Mr. Jack *[holding answer 26 March 1996]:* A 100 per cent. first-year allowance of £200,000 for investment in plant and machinery by companies and unincorporated businesses, introduced from December 1996, has an estimated small initial cost of about £100 million in 1997–98 and would then cost approximately £1.3 billion in 1998–99. The cost would decline subsequently. For companies in groups, it is assumed that the limit is applied to the whole group and not each separate company.

Kenya

Sir Thomas Arnold: To ask the Chancellor of the Exchequer if he will make statement about the proposed International Monetary Fund—enhanced structural adjustment facility for Kenya. [23150]

Mr. Kenneth Clarke *[holding answer 1 April 1996]:* Last month, the Government of Kenya launched a framework for the economic reform agenda for the next three years on which they have worked with the IMF and World bank. A programme under the IMF's enhanced structural adjustment facility, designed to support these reform efforts, is expected to be considered by the IMF's executive board later this month.

Vocational Education Courses

Mr. Byers: To ask the Chancellor of the Exchequer what plans he has to *(a)* cease and *(b)* reduce the tax relief available for certain vocational education courses. [24146]

Mr. Jack *[holding answer 1 April 1996]:* The Finance Bill being considered by Parliament extends vocational training relief so that tax relief may be given on fees paid for a course which is full time, lasts more than four weeks but less than a year and is aimed at learning or practising knowledge or skills for gainful employment. This tax relief is available to trainees aged 30 or over. We have no plans to change other forms of tax relief for vocational education courses.

Government Spending

Mr. Walden: To ask the Chancellor of the Exchequer what percentage of Government spending was spent in the years 1988 and 1995 on *(a)* defence, *(b)* education and *(c)* mortgage tax relief. [24015]

Mr. Waldegrave *[holding answer 1 April 1996]:* Figures for public expenditure on defence, education and mortgage tax relief expressed as a percentage of general Government expenditure are as follows:

	1988–89 Outturn Per cent.	*1995–96 Estimated outturn Per cent.*
Defence	10.7	7.0
Education	12.3	11.9
Mortgage tax relief paid to non-taxpayers	0.1	0.1

Total mortgage tax relief amounted to £5.4 billion in 1988–89 and £2.7 billion in 1995–96, of which £260 million in 1988–89 and £180 million in 1995–96 paid to non-taxpayers is classified as public expenditure.

No. 11 Downing Street

Mr. Hall: To ask the Chancellor of the Exchequer (1) if he will list the non-official or party receptions and functions which have been held at No. 11 Downing street since November 1990; [24268]

(2) if he will list all *(a)* charity, *(b)* voluntary organisations, *(c)* non-official and *(d)* party receptions and functions which have been held at No. 11 Downing street since November 1990; [24270]

(3) on which occasions he has used No. 11 Downing street for the purpose of raising funds for the Conservative party since November 1990. [24269]

Mr. Kenneth Clarke *[holding answer 2 April 1996]:* No. 11 Downing street is the home of my wife and I in London and I pay tax on it as a benefit in kind. I am not accountable to Parliament for private functions held there on which no public funds are expended.

FOREIGN AND COMMONWEALTH AFFAIRS

Violent Crime

Mr. Llwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs how many United Kingdom citizens were victims of violent crime abroad in each of the last five years; and if he will make a statement. [24597]

Mr. Hanley: The numbers of British citizens reported murdered, raped, assaulted or violently robbed abroad in each of the last five years are as follows:

1991: 145

1992: 196

1993: 231

1994: 257

1995: 174

Scott Report

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs when his Department first evaluated the information on the Iraqi nuclear programme cited on pages 608 and 609 of the Scott report. [24832]

Mr. Hanley: During February 1989.

Export Bans

Mr. Rowlands: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the occasions and the circumstances of all European Commission bans upon the export of a product by an individual member state; and if he will indicate how many of these occasions were against the wishes of the member state. [24578]

Mr. David Davis: The information requested is not held centrally. There are a number of bans on the export of certain products from certain member states. Examples are the current ban on live cattle and certain products derived from cattle in the UK, and a ban on pigs for slaughter from certain parts of Germany affected by classical swine fever.

Land Mines

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions *(a)* he and *(b)* his officials have had with Britain's allies concerning banning the manufacture, supply and export of land mines. [25179]

Mr. Hanley: In preparation for the final session of the UN weaponry convention review conference in Geneva on 22 April to 3 May, we have recently discussed within the western group the questions on which agreement was not possible at the first session of the review conference in September–October 1995. Appropriate NATO and EU experts' groups have also discussed preparations for the conference.

Bhutan

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what conditions on aid have been applied to Bhutan in the last year. [25407]

Mr. Hanley: We do not have an aid programme in Bhutan.

Bhutanese Refugees

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations the Government have made to representatives of the Indian Government regarding the recent arrest and detention of Bhutanese refugees voluntarily returning to their country; and what future representations are planned concerning this matter. [25408]

Mr. Hanley: We are aware of these arrests and detentions. We have made no representations to the Indian Government, but continue to monitor the situation closely with our EU partners.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what humanitarian aid and assistance the Government are currently providing for Bhutanese refugees in Nepal. [25410]

Mr. Hanley: In the last financial year, we provided £100,000 for projects to assist Bhutanese refugees in Nepal. No application for funding has yet been made for this financial year.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what future meetings and discussions the Government are planning to hold with the Governments of Bhutan, Nepal and India regarding the situation of Bhutanese refugees. [25406]

Mr. Hanley: We have no plans to hold discussions with the Governments of Bhutan, Nepal and India regarding the Bhutanese refugee situation. We believe that the problem is best solved through bilateral negotiation between Bhutan and Nepal.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent meetings have been held with representatives of the Bhutanese refugees currently exiled in camps in Nepal. [25409]

Mr. Hanley: Our ambassador in Kathmandu visited the Bhutanese refugee camps in Jhapa last month and talked to representatives of the refugees. A representative of the refugees also called on the Foreign and Commonwealth Office on 22 March.

"A Partnership of Nations"

Ms Ruddock: To ask the Secretary of State for Foreign and Commonwealth Affairs what procedures have been put in place by his Department to monitor the environmental impacts arising from the implementation of "A Partnership of Nations" White Paper. [25290]

Mr. David Davis: The policies in the White Paper, "A Partnership of Nations", do not have significant environmental implications. It would not be appropriate to monitor their environmental impact.

Ms Ruddock: To ask the Secretary of State for Foreign and Commonwealth Affairs what alternative courses of action from those detailed in "A Partnership of Nations" White Paper were considered in environmental appraisals undertaken by his Department. [25288]

Mr. Davis: No alternative courses of action were considered as a result of environmental appraisals. Such appraisals would not have been relevant to the policies outlined in the White Paper, "A Partnership of Nations".

Ms Ruddock: To ask the Secretary of State for Foreign and Commonwealth Affairs what environmental appraisal using the guidance contained in "Policy Appraisal and the Environment" produced by the Department of the Environment to "A Partnership of Nations" White Paper has been subject; and if he will publish the appraisal. [25287]

Mr. Davis: "Policy Appraisal and the Environment" provides guidance on environmental appraisal of domestic policies which will have significant environmental implications. It is not relevant to the policies outlined in the White Paper, "A Partnership of Nations".

Ms Ruddock: To ask the Secretary of State for Foreign and Commonwealth Affairs how "A Partnership of Nations" White Paper was modified by the results of environmental appraisals undertaken by his Department. [25289]

Mr. Davis: The policies outlined in the White Paper, "A Partnership of Nations", do not have significant environmental implications. It would not have been appropriate to carry out an environmental appraisal.

ATTORNEY-GENERAL

Medical Research Fraud

Mrs. Dunwoody: To ask the Attorney-General if he will list the cases of fraud involving medical research studies in the United Kingdom in each of the last 10 years, and the costs to public funds of prosecuting them. [24481]

The Attorney-General: The Crown Prosecution Service does not maintain a central record enabling all cases of the description given by the hon. Member to be identified. The information sought could be obtained only by a scrutiny of all CPS files over the past 10 years and would involve disproportionate cost.

ENVIRONMENT

Pollution (Abandoned Mines)

Ms Ruddock: To ask the Secretary of State for the Environment what provisions are made by *(a)* his Department, *(b)* the Coal Authority and *(c)* the Environment Agency to monitor the incidence and effects of pollution from abandoned mines. [24804]

Mr. Clappison: The responsibility for monitoring pollution from abandoned mines lies with the Environment Agency and, where appropriate, the Coal Authority or other owner or operator.

The Coal Authority monitors pumping at 11 pumping stations, mainly in County Durham. It also measures underground water levels at a number of locations throughout the country. It has carried out pumping trials at more than one location.

The Environment Agency has an extensive chemical and microbiological monitoring programme for the general assessment of the quality of surface waters in England and Wales. Some 60,000 samples are taken each year for chemical analysis. River stretches affected by minewater discharges will be identified and assessed within this programme, each stretch being sampled 12 times per annum. In parallel with the system for the monitoring of controlled waters, the routine sampling of major discharges takes place approximately four times a year.

Ms Ruddock: To ask the Secretary of State for the Environment what treatment methods other than pumping are currently in use to deal with polluted minewater from abandoned mines; where each is in use; how long it has been in use; and what assessment has been made of its effectiveness. [24803]

Mr. Clappison: There are around 10 small-scale pilot treatment projects in England and Wales, which use chemical and physical methods to treat minewaters. These include those on the River Pelenna in south Wales, at Woolley colliery near Barnsley, and at the Wheal Jane tin mine in Cornwall. The Coal Authority is also looking at best practice in the use of treatment methods.

The Environment Agency routinely monitors the principal discharges from these treatment projects, but is too early to make a precise assessment of the effectiveness of the methods used.

Ms Ruddock: To ask the Secretary of State for the Environment if he will list the measures which the Environment Agency is evaluating to deal with pollution from abandoned mines. [24801]

Mr. Clappison: The agency monitors surface waters and principal discharges from abandoned mines and undertakes environmental assessments. It is currently funding research, and monitoring the research of others, into a range of treatment methods.

The measures in the Environment Act 1995 relating to abandoned mines will enhance the agency's ability to ensure that this aspect of water pollution is addressed.

Ms Ruddock: To ask the Secretary of State for the Environment when he will publish the regulations on the six-month notification period for the abandonment of mines. [24797]

Mr. Clappison: My Department is in discussion with the Environment Agency and other interested parties on the content of these regulations. It is intended that a consultation paper on the regulations will be issued very soon.

Ms Ruddock: To ask the Secretary of State for the Environment how much money has been set aside by *(a)* the Coal Authority and *(b)* the Environment Agency for pumping of minewater from abandoned mines in the current financial year and for the next three years. [24799]

Mr. Clappison: In the current year, the Coal Authority has set aside £1.2 million for the costs of electricity for pumping and £0.66 million for maintenance of pumping stations, amounting to a total of £1.9 million. It is likely that the budget for future years will be of a similar order, but will depend on future liabilities or potential savings.

The agency has resources of up to £2 million per annum to cover the cost of pumping and treatment of minewater from Wheal Jane, and expects to spend around £6 million over the three years 1996–97 to 1998–99. It has made no other financial provision for dealing with pumping costs, which would normally be borne by the relevant owner or operator.

Ms Ruddock: To ask the Secretary of State for the Environment if he will list each abandoned mine where pumping of minewater is currently taking place in order to prevent pollution and the date that the mine was abandoned. [24802]

Mr. Clappison: The mines where pumping of minewater is taking place to prevent pollution of controlled waters are as follows:

Name of mine	*Date of abandonment*
Kimblesworth	1968
Kibblesworth	1976
Ushaw Moor	1961
Page Bank	pre 1947
Vinovium	pre 1947
Chester Moor	1968
Nicholson	pre 1947
Lumley 6th	1966
Sherburn Hill	1966
Wooley	1987
Mid Cannock	1967
Wheal Jane	1991

Ms Ruddock: To ask the Secretary of State for the Environment if he will list each abandoned mine where pumping of minewater ceased and was subsequently reinstated, with the dates of cessation and reinstatement. [24798]

Mr. Clappison: The mines where intentional cessation and reinstatement of pumping has taken place are as follows:

Mid Cannock—pumping ceased on 16 May 1995, and was restarted on 13 September 1995

Ushaw Moor—pumping ceased on 10 October 1995, and was restarted on 18 January 1996

These were temporary cessations which formed part of a process of information gathering by the Coal Authority, and were implemented in consultation with the former National Rivers Authority.

Contaminated Land

Ms Ruddock: To ask the Secretary of State for the Environment (1) when he will publish the ministerial guidance on contaminated land; [24805]

(2) when the contaminated land provisions of the Environment Act 1995 will come into effect. [24806]

Mr. Clappison: Informal consultations are taking place on a working draft of the statutory guidance on contaminated land, being prepared under section 57 of the Environment Act 1995. I envisage a further round of informal consultations. The formal draft will be published in time to allow three months for consultation before those parts of the final guidance requiring parliamentary consideration are laid before Parliament at the start of the new Session.

The contaminated land provisions will not be brought into force until the guidance has been formally issued.

Departmental Staff

Ms Armstrong: To ask the Secretary of State for the Environment if he will list the numbers of staff in each grade in the *(a)* local development group, *(b)* local government finance policy (i) local taxation, (ii) local capital, (iii) local authority statistics, (iv) local authority grants and (v) local authority grants and revenue and *(c)* local government (1) structure, (2) sponsorship and superannuation and (3) competition sections of his Department. [24644]

Sir Paul Beresford: The table lists the numbers of staff in each grade in all of the directorates, divisions and units that comprise the Department's new local development

group. Within the local government directorate, LG1 division on local government reorganisations works on structure, LG2 division on local government sponsorship and the local government pensions unit works on sponsorship and superannuation, and LG3 division on local authority contracting out and competition in providing services works on competition.

Table showing numbers of staff by grade in Local Development Group

	Totals
Grade 2	1
Grade 3	3
Grade 5	13
Grade 6	3
Grade 7	42
G7 (Stats)	6
G7 (Econ)	3

Table showing numbers of staff by grade in Local Development Group

	Totals
Sn A Stat	3
Asst Stat	2
SEO	16
SRO	4
SPTO	1
TSO	1
Econ Asst	1
HEO	72
EO	69
RO	1
SPS	4
AO	52
PS	15
DS	2
AA	6
Totals	320

Local Development group of which:

	Totals	*G2 office*	*Sec and IT unit*	*ERL*	*PFU*
Grade 2	1	1	—	—	—
Grade 3	0	—	—	—	—
Grade 5	1	—	—	—	1
Grade 6	0	—	—	—	—
Grade 7	3	—	—	1	2
G7 (Stats)	0	—	—	—	—
G7 (Econ)	0	—	—	—	—
Sn A Stat	0	—	—	—	—
Asst Stat	0	—	—	—	—
SEO	0	—	—	—	—
SRO	0	—	—	—	—
SPTO	0	—	—	—	—
TSO	0	—	—	—	—
Econ Asst	0	—	—	—	—
HEO	1	—	1	—	—
EO	3	—	1	—	2
RO	0	—	—	—	—
SPS	1	1	—	—	—
AO	2	—	1	—	1
PS	2	1	—	—	1
DS	0	—	—	—	—
AA	0	—	—	—	—
Totals	14	3	3	1	7

Grade 2's office. Secretariat and IT unit.
ERL DOE regional link.
PFU private finance unit.

LG Directorate of which:

	Totals	*G3 office*	*LG1*	*LG2*	*LGPU*	*LG3*
Grade 2	0	—	—	—	—	—
Grade 3	1	1	—	—	—	—
Grade 5	3	—	1	1	—	1
Grade 6	2	—	—	—	2	—
Grade 7	12	—	3	3	3	3
G7 (Stats)	0	—	—	—	—	—
G7 (Econ)	0	—	—	—	—	—
Sn A Stat	0	—	—	—	—	—
Asst Stat	0	—	—	—	—	—
SEO	3	—	—	1	—	2
SRO	2	—	—	—	—	2
SPTO	0	—	—	—	—	—
TSO	0	—	—	—	—	—
Econ Asst	0	—	—	—	—	—
HEO	25	—	5	4	4	12
EO	21	—	5	5	3	8
RO	1	—	—	—	—	1

	LG Directorate of which:					
	Totals	*G3 office*	*LG1*	*LG2*	*LGPU*	*LG3*
SPS	1	1	—	—	—	—
AO	19	—	3	3	3	10
PS	4	—	1	1	1	1
DS	0	—	—	—	—	—
AA	0	—	—	—	—	—
Totals	94	2	18	18	16	40

LG Local government directorate. Grade 3's office.
LG1 local government organisation.
LG2 local government sponsorship.
LGPU local government pensions unit.
LG3 local authority contracting out and competition in providing services.

	LGFP Directorate of which:							
	Totals	*G3 office*	*EF*	*FLT*	*FLC*	*FLAS*	*FLG*	*FLGR*
Grade 2	0	—	—	—	—	—	—	—
Grade 3	1	1	—	—	—	—	—	—
Grade 5	6	—	1	1	1	1	1	1
Grade 6	0	—	—	—	—	—	—	—
Grade 7	12	—	2	3	4	—	3	—
G7 (Stats)	6	—	—	—	—	4	—	2
G7 (Econ)	3	—	—	—	—	—	—	3
Sn A Stat	3	—	—	—	—	—	—	3
Asst Stat	2	—	—	—	—	2	—	—
SEO	6	—	—	2	2	1	1	—
SRO	0	—	—	—	—	—	—	—
SPTO	0	—	—	—	—	—	—	—
TSO	1	—	—	—	—	1	—	—
Econ Asst	1	—	—	—	—	—	—	1
HEO	21	—	1	3	4	7	6	—
EO	19	—	—	5	2	6	5	1
RO	0	—	—	—	—	—	—	—
SPS	1	1	—	—	—	—	—	—
AO	17	—	1	4	2	9	1	—
PS	5	—	—	1	1	1	1	1
DS	0	—	—	—	—	—	—	—
AA	2	—	—	—	1	—	1	—
Totals	106	2	5	19	17	32	19	12

LGFP Local government finance policy directorate. Grade 3's office.
EF efficiency scrutiny.
FLT finance local taxation.
FLC finance local capital.
FLAS finance local authority statistics.
FLG finance local authority grants.
FLGR finance local authority grants and revenue.

	RD Directorate of which:					
	Totals	*G3 Office*	*Sec*	*RD1*	*RD2*	*RD3*
Grade 2	0	—	—	—	—	—
Grade 3	1	1	—	—	—	—
Grade 5	3	—	—	1	1	1
Grade 6	1	—	—	—	1	—
Grade 7	15	—	—	5	7	3
G7 (Stats)	0	—	—	—	—	—
G7 (Econ)	0	—	—	—	—	—
Sn A Stat	0	—	—	—	—	—
Asst Stat	0	—	—	—	—	—
SEO	7	—	—	2	4	1
SRO	2	—	—	—	2	—
SPTO	1	—	—	1	—	—
TSO	0	—	—	—	—	—
Econ Asst	0	—	—	—	—	—
HEO	25	—	1	6	15	3
EO	26	—	1	5	16	4
RO	0	—	—	—	—	—
SPS	1	1	—	—	—	—
AO	14	—	2	3	7	2

	RD Directorate of which:					
	Totals	*G3 Office*	*Sec*	*RD1*	*RD2*	*RD3*
PS	4	—	—	1	2	1
DS	2	—	—	1	1	—
AA	4	—	—	1	3	—
Totals	106	2	4	26	59	15

RD Regeneration Directorate. Grade 3's office.
Secretariat.
RD1 regeneration, special grants voluntary sector and HATs.
RD2 challenge fund, SRB, estate action and partnerships.
RD3 UDCs, CNT, enterprise zones and English partnerships.

Castle Cement

Mr. Gordon Prentice: To ask the Secretary of State for the Environment on what grounds Castle Cement is appealing against the most recent notice served by Her Majesty's inspectorate of pollution in respect of the works at Clitheroe; and if he will make a statement. [24966]

Mr. Clappison: Castle Cement has appealed against variation notice, AR 9435 issued by HMIP under section 10 of the Environmental Protection Act 1990 on 23 January 1996. The company contends that the notice is null and void, and also appeals against six specific conditions of authorisation.

HMIP became part of the Environment Agency on 1 April 1996 and a full copy of Castle Cement's grounds of appeal is available for inspection by the public in the register maintained at the agency's office in Bamber Bridge, Preston. It will also be available in the register maintained by Ribble Valley borough council.

Biodiversity Project (Dog Whelk)

Mr. Barry Field: To ask the Secretary of State for the Environment if the biodiversity project announced at the Darwin initiative seminar will include a study of the dog whelk. [24936]

Mr. Clappison: None of the 34 Darwin initiative projects announced at last month's seminar to help developing countries protect biodiversity include such a study. "Biodiversity: The UK Steering Group Report," published in December 1995, recommends that the dog whelk should be among 1,253 species whose conservation status should be monitored. The Government expect to publish their response to the report in the late spring of 1996.

Public Paths and Byways

Mr. Robert Ainsworth: To ask the Secretary of State for the Environment what plans he has to alter the obligation to reclassify roads used as public paths as byways open to all traffic if vehicular rights are shown ever to have existed. [24962]

Mr. Clappison: We have no plans to alter the obligation to reclassify RUPPs as BOATs where vehicular rights exist. However, as the Government announced in the rural White Paper, Cm 3016, we intend to discuss with interested parties the issue of restricting the use of byways by motorised vehicles.

Nitrates

Mr. Burden: To ask the Secretary of State for the Environment what representations he has received on the implications of the research by Aberdeen university in 1995 into dietary nitrate intake on the efficacy of European Commission directives on nitrates in water supplies. [25025]

Mr. Clappison: My right hon. Friend has received inquiries from two correspondents and letters from five hon. Members on behalf of three correspondents.

Open Space

Sir Michael Shersby: To ask the Secretary of State for the Environment how many applications he has received during the most recent 12 month period for which information is available for permission to compulsorily purchase metropolitan open space in accordance with section 19 of the Acquisition of Land Act 1981; how many certificates he has given; and if he will make a statement. [24950]

Mr. Robert B. Jones: During the year ended 31 March 1996, Government offices received 12 requests for certificates under section 19 of the Acquisition of Land Act 1981, relating to compulsory purchase of open space. They issued seven certificates during the same period.

Section 19 sets out a scheme of special protection for commons, open space and certain allotments which ensures that the national stock of such special land is not eroded through piecemeal compulsory purchase.

Rights of Way

Mr. Robert Ainsworth: To ask the Secretary of State for the Environment when he will publish a best practice guide regarding management of the use of motorised vehicles on rights of way. [24963]

Mr. Clappison: We intend to publish a best practice guide in the summer.

Green Lanes

Mr. Robert Ainsworth: To ask the Secretary of State for the Environment how many cases of deterioration of green lanes by vehicular use have been brought to his attention in the last year for which figures are available. [24961]

Mr. Clappison: Neither my Department nor the Department of Transport keeps statistics of this sort. Few cases of deterioration of green lanes are brought to our attention. Research currently in hand includes an attempt to assess the scale of the problem.

Asylum Seekers

Ms Glenda Jackson: To ask the Secretary of State for the Environment what expenditure threshold will trigger local authorities to entitlement to 80 per cent. compensation for unavoidable costs incurred as a result of obligations to asylum seekers. [24976]

Mr. Clappison: No decisions have been taken yet on the threshold.

Stormgate Mining Ltd.

Mr. Clapham: To ask the Secretary of State for the Environment what steps he has taken to obtain information about Stormgate Mining Ltd., with special reference to employers liability insurance cover; and if he will make a statement. [25002]

Sir Paul Beresford: The Health and Safety Executive has served a statutory notice on the Stormgate Mining Co. Ltd., requiring it to produce a current certificate of employers' liability compulsory insurance in relation to its Whittle colliery, Northumberland.

Outdoor Advertising

Ms Ruddock: To ask the Secretary of State for the Environment (1) to what environmental appraisal using the guidance contained in "Policy Appraisal and the Environment" produced by his Department, "Outdoor Advertisement Control—Areas of Special Control of Advertisements"—ASCAs—consultation paper has been subjected; and if he will publish the appraisal; [25262]

(2) how "Outdoor Advertisement Control—Areas of Special Control of Advertisements"—ASCAs—consultation paper was modified by the results of environmental appraisals undertaken by his Department; [25264]

(3) what alternative courses of action from those detailed in "Outdoor Advertisement Control—Areas of Special Control of Advertisements"—ASCAs—consultation paper were considered in environmental appraisals undertaken by his Department; [25263]

(4) what procedures have been put in place by his Department to monitor the environmental impacts arising from the implementation of "Outdoor Advertisement Control—Areas of Special Control of Advertisements"—ASCAs—consultation paper. [25265]

Sir Paul Beresford: I refer the hon. Member to the reply that I gave on 11 March, *Official Report*, column *418*.

Local Government Ombudsman

Ms Ruddock: To ask the Secretary of State for the Environment (1) what procedures have been put in place by his Department to monitor the environmental impacts arising from the implementation of the review of the local government ombudsman service consultation paper; [25286]

(2) what alternative courses of action from those detailed in the review of the local government ombudsman service consultation paper were considered in environmental appraisals undertaken by his Department; [25284]

(3) what environmental appraisal using the guidance contained in "Policy Appraisal and the Environment" produced by his Department the review of the local government ombudsman service consultation paper has been subject to; and if he will publish the appraisal; [25283]

(4) how the review of the local government ombudsman service consultation paper was modified by the results of environmental appraisals undertaken by his Department. [25285]

Mr. Clappison: Sir Geoffrey Chipperfield's independent report on his prior options review of the Commission for Local Administration, or local government ombudsman service, considered whether the functions presently undertaken by the commission were necessary. It did not in itself have any direct impact on the environment and no environmental appraisal was undertaken.

Council Tax

Mr. Dunn: To ask the Secretary of State for the Environment what is the percentage increase for band D council tax for *(a)* each unitary local authority and *(b)* each district council in England for the year 1996–97 over the year 1995–96. [25250]

Sir Paul Beresford: I refer the hon. Member to the answer given by my hon. Friend the Minister for Local Government, Housing and Urban Regeneration to my hon. Friend the Member for Eastbourne (Mr. Waterson) on 20 March 1996, *Official Report*, column *213*.

Compliance Cost Assessments

Ms Ruddock: To ask the Secretary of State for the Environment what compliance cost assessment has been produced for the Housing Bill; if it is publicly available; and if he will place a copy in the Library. [25266]

Mr. Clappison: A compliance cost assessment has been produced for the Housing Bill; it is publicly available and a copy was placed in the Library of the House on 29 January 1996.

Ms Ruddock: To ask the Secretary of State for the Environment what compliance cost assessment has been produced for the guidance to the Environment Agency; if it is publicly available; and if he will place a copy in the Library. [25268]

Mr. Clappison: A compliance cost assessment was produced when the Environment Bill setting up the Environment Agency was introduced, as indicated in the explanatory and financial memorandum to the Bill. A copy of the CCA is available in the Library.

There was no need to produce a further CCA for the guidance, which is intended to assist the agency with respect to its objectives and the contribution it is to make towards achieving sustainable development.

Ms Ruddock: To ask the Secretary of State for the Environment how many compliance cost assessments were produced by his Department in 1995; and if he will place copies in the Library. [25267]

Sir Paul Beresford: Seven compliance cost assessments were produced by my Department during 1995. Copies have been placed in the Library.

"Capital Challenge"

Ms Ruddock: To ask the Secretary of State for the Environment (1) what procedures have been put in place by his Department to monitor the environmental impacts arising from the implementation of the "Capital Challenge" consultation paper; [25282]

(2) what alternative courses of action from those detailed in the "Capital Challenge" consultation paper were considered in any environmental appraisal undertaken by his Department; [25280]

(3) what environmental appraisal using the guidance contained in "Policy Appraisal and the Environment" produced by his Department the "Capital Challenge" consultation paper has been subject to; and if he will publish the appraisal; [25279]

(4) how the "Capital Challenge" consultation paper was modified by the results of any environmental appraisal undertaken by his Department. [25281]

Mr. Clappison: Our proposals for a capital challenge fund set out a new mechanism for supporting local authority capital expenditure. The mechanism proposed will not of itself have any direct impact on the environment and no environmental appraisal was undertaken. It is more relevant to focus on the environmental impact of spending proposals approved. I am determined that all local authority capital spending proposals, whether brought forward under capital challenge or under the existing capital finance system, should take proper account of the environmental impact of projects. I therefore intend that, should our proposed pilot scheme go ahead, all bidders would be required to provide a clear assessment of the environmental impact of their proposals. We will also look in particular for projects which reflect the Government's objectives for the promotion of sustainable development.

Transitional Relief, Waltham Forest

Mr. Cohen: To ask the Secretary of State for the Environment if he will give the figures relating to transitional relief paid to Waltham Forest in the same form and for the same periods as in parts *(b)* to *(d)* of his answer to the hon. Member for North-West Durham (Ms Armstrong) of 7 March, *Official Report*, columns *304–5*. [25399]

Sir Paul Beresford: The information requested is as follows:

(a) Total amount of transitional relief

1993–94: £378,652,826

1994–95: £111,283,108

1995–96: £27,178,179[1]

(b) Amount of transitional relief paid to London Borough of Waltham Forest

1993–94: £582,601

1994–95: £67,544

1995–96: £9,046[1]

(c) Percentage of total amount of transitional relief paid to London Borough of Waltham Forest

1993–94: 0.15 per cent.

1994–95: 0.06 per cent.

1995–96: 0.03 per cent.[1]

(d) Amount paid per chargeable dwelling in London Borough of Waltham Forest

1993–94: £6.45

1994–95: £0.74

1995–96: £0.10[1].

These figures are averages. The actual amount of transitional relief varied according to a household's council tax banding, its composition and its previous liability for community charge.

[1]Information for 1995–96 is provisional and is subject to final grant claims to be made during 1996–97.

Town and Country Planning Act

Ms Hodge: To ask the Secretary of State for the Environment if he will list the amounts received by *(a)* the Corporation of London, *(b)* the inner London boroughs, *(c)* the outer London boroughs, *(d)* shire authorities and *(e)* metropolitan districts, under the provisions of section 106 of the Town and Country Planning Act 1990 in each year since the implementation of the Act, together with the total in each year for English authorities as a whole. [25480]

Sir Paul Beresford: This information is not available centrally and could be provided only at disproportionate cost. Under section 12 of the Planning and Compensation Act 1991, planning obligations must be registered as a local land charge and are therefore available for the public to see.

Local Government Reorganisation

Ms Janet Anderson: To ask the Secretary of State for the Environment, pursuant to his answer of 15 February to the hon. Member for Bridlington (Mr. Townend), *Official Report*, column *663*, if he will publish the revised estimates of expenditure on the transitional cost of reorganisation in 1996–97, submitted by the councils of East Riding, Yorkshire, Hull city, Bristol city, Bath and North East Somerset and York district. [25460]

Sir Paul Beresford: The revised estimates of expenditure on the transitional costs of reorganisation in 1996–97 submitted by the councils of the East Riding of Yorkshire, Hull city, Bristol city, Bath and North East Somerset and York district were as follows:

Authority	*£ thousands rounded 1996–97*
East Riding of Yorkshire council	[1]14,140
Hull city council	7,759
Bristol city council	11,089
Bath and North East Somerset council	9,525
York district council	8,321

[1] Average of a range of estimates.

NATIONAL HERITAGE

National Lottery

Mr. Chris Smith: To ask the Secretary of State for National Heritage what estimate she has made of the annual partnership funding requirement from the private

and corporate sectors for lottery awards from the good cause bodies other than the National Lottery Charities Board up to 2000. [22013]

Mr. Sproat: The information currently available to the Department does not distinguish between sources of partnership funding. The following table shows the figures for those distributing bodies currently able to provide estimates.

Estimated annual partnership funding requirement to year 2000

Million

	Private sector	*Corporate sector*
Arts		
Arts Council of England	Information currently unavailable	
Scottish Arts Council	Information currently unavailable	
Arts Council of Wales	£13.8	£1.2
Arts Council of Northern Ireland[1]	£8.4	
Sports		
Sports Council	Information currently unavailable	
Scottish Sports Council[1]	£25	
Sports Council for Wales	Information currently unavailable	
Sports Council for Northern Ireland	£0.25	
National Heritage Memorial Fund	Information currently unavailable	
Millennium Commission	Information currently unavailable	
National Lottery Charities Board	Not applicable	

[1] Distributing body does not differentiate in its data collection between private and corporate sponsorship.

Mr. Smith: To ask the Secretary of State for National Heritage what assessment she has made of the balance of private and corporate sponsorship available as lottery partnership funding *(a)* to national institutions and *(b)* to regional and local projects. [22014]

Mr. Sproat: The information currently available to the Department does not distinguish between sources of partnership funding. The following table shows the breakdown for partnership funding to date for those distributing bodies currently able to provide figures.

Balance of Partnership Funding

Million

	Private sponsorship		*Corporate sponsorship*	
	National institutions	*Regional and local projects*	*National institutions*	*Regional and local projects*
Arts				
Art Council of England[1]	£60.8		£333	
Scottish Arts Council	Information currently unavailable			
Arts Council of Wales	£3.3	£4.8	£0.25	£0.44
Arts Council of Northern Ireland[2]	£0.05			
Sports				
Sports Council[2]		£175		
Scottish Sports Council[2]	£3.7	£25.8		
Sports Council for Wales	Information currently unavailable			
Sports Council for Northern Ireland	£0.43			
National Heritage Memorial Fund	Information currently unavailable			
Millennium Commission	Information currently unavailable			
National Lottery Charities Board	Not applicable			

[1] Analysis between 'national' and 'regional' institutions is currently not available.

[2] Distributing body does not differentiate in its data collection between private and corporate sponsorship.

PRIME MINISTER

EU Legislation

Mr. Steen: To ask the Prime Minister, pursuant to his answer of 12 March, *Official Report*, column *535*, if he will list each regulation and the Department which takes responsibility for it in the past three years. [23709]

The Prime Minister: Information about individual Council and Commission regulations adopted in the last three years can be obtained from the Commission's CELEX database of Community legislation. Information on which Department leads on each individual measure could be assembled only at disproportionate cost.

Engagements

Mr. Harry Greenway: To ask the Prime Minister if he will list his official engagements for Tuesday 16 April. [23788]

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Tuesday 16 April. [23789]

The Prime Minister: This morning, I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

No. 10 Downing Street

Mr. Hall: To ask the Prime Minister if he will list all the functions, and the dates on which they took place, which were held at No. 10 Downing street where the costs have been met by political parties and organisations for the purpose of providing financial support to political parties since November 1990. [23556]

The Prime Minister *[holding answer 1 April 1996]:* There have been so such functions.

Mr. Hall: To ask the Prime Minister what charges are levied on *(a)* charities, *(b)* voluntary organisations and *(c)* non-official or party function organisers permitted to use the invitations secretary as the responding address for invitations to functions at No. 10 Downing street. [23557]

The Prime Minister *[holding answer 1 April 1996]:* When charitable or other non-official events are held at No. 10 Downing street, the organisers are responsible for all catering and staff costs, as well as other miscellaneous direct costs. As under previous Administrations, invitations are normally handled by the invitations secretary. This is necessary to ensure that the appropriate security procedures are followed. No charge is levied for this.

OVERSEAS DEVELOPMENT ADMINISTRATION

Volcano (Montserrat)

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the effects of the active volcano on the population of Montserrat; and if he will make a statement. [25484]

Mr. Hanley: Assessments of both the eruptive state of the volcano and the effects of the resulting forecasts have been continuous since last July. An ODA mission was in Montserrat last week to reassess needs, following the latest relocation of the people into the north of the island on 3 April. A range of relief actions was agreed with the Governor and the Government of Montserrat and is now being implemented.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what resources have been made available in *(a)* 1995–96 and *(b)* 1996–97 for emergency relief in Montserrat; and if she will make a statement. [25485]

Mr. Hanley: Relief commitments by Her Majesty's Government totalled £4.5 million in 1995–96. No specific allocations have been made for 1996–97 as future needs cannot yet be foreseen. Discussions will also take place in Brussels this week to encourage support from the European Commission.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions have been held with the Governments of islands neighbouring Montserrat concerning assistance in the event of a volcanic eruption. [25487]

Mr. Hanley: Productive discussions have been held with the Government of Antigua for off-island evacuation; with the French authorities on Guadeloupe for evacuation and for rapid support on Montserrat in time of crisis; with certain Governments with interests and assets in the area, notably the American, Dutch and Venezuelan Governments; and with other Governments through the Caribbean Disaster Emergency Response Agency.

EDUCATION AND EMPLOYMENT

Schools (Capital Expenditure)

Mr. Blunkett: To ask the Secretary of State Education and Employment if she will list total capital expenditure on schools in cash and real terms for each year since 1974–75. [20570]

Mrs. Gillan: The table gives the total expenditure on schools capital between 1974–75 and 1994–95—the latest date for which figures are available—in cash and 1994–95 price terms.

The hon. Gentleman has chosen the base year with care. It should be noted that capital expenditure was higher in real terms before 1974–75 under the Conservative Administration. The level of expenditure in the 1970s reflects both the rise in the school population, as a result of demographic changes and the raising of the school leaving age, and the building work required by comprehensive schools. The fall in expenditure in real terms after 1974–75 was partly the result of the Labour Government having to deal with the International Monetary Fund crisis.

Between 1979–80 and 1994–95, capital expenditure increased in real terms by over 19 per cent. The introduction of the private finance initiative in the schools sector now offers new opportunities for bolstering capital expenditure on schools by levering in investment from the private sector.

Capital expenditure on schools 1974–75 to 1994–95

Year	*Total*[1]	*1994–95 prices*
1974–75	346.7	1,818.5
1975–76	369.6	1,545.3
1976–77	362.2	1,334.3
1977–78	315.0	1,021.5
1978–79	296.7	865.3
1979–80	325.1	812.4
1980–81	391.1	826.0
1981–82	314.4	605.5
1982–83	327.8	589.4
1983–84	343.1	589.4
1984–85	368.6	602.9
1985–86	396.5	614.9
1986–87	420.2	632.5
1987–88	470.3	672.2
1988–89	628.6	842.1
1989–90	782.3	979.6
1990–91	779.2	903.2
1991–92	795.4	867.9
1992–93	809.1	848.4
1993–94	894.5	911.3
1994–95[2]	968.7	968.7

Up to 1992–93 figures include sixth form colleges; in 1993–94 sixth form colleges became the responsibility of the FEFC.

[1] The totals include local education authority schools capital expenditure; Government grant aid to voluntary aided and special agreement schools; governors' contributions to capital cots at VA/SA schools; grant-maintained schools capital grant; Government grants to and private sponsorship of technology colleges and city technology colleges. They do not include provision for repairs at VA/SA schools.

Figures for sponsorship of city technology colleges amount to £37 million up to 1994–95. However, only £31 million of this is included in the table; information held centrally does not enable the remaining £6 million to be apportioned to specific financial years.

[2] Includes provisional figures for LEA outturn expenditure.

Barnsley and Doncaster Training and Enterprise Council

Mr. Redmond: To ask the Secretary of State for Education and Employment how many days were taken to carry out *(a)* quality and safety and *(b)* financial control audits at Barnsley and Doncaster TEC; what were the costs in each case; and if she will make a statement. [24491]

Mr. Paice: In 1995–96, five staff days were spent on a health and safety compliance audit, 25 staff days on a total quality assurance supplier management compliance audit and 85 staff days on financial control audits at Barnsley and Doncaster training and enterprise council. Information on the costs of these audits is not available.

Asylum Seekers

Mr. Chris Smith: To ask the Secretary of State for Education and Employment what advice she has given to the Further Education Funding Council in relation to ensuring access to free further education tuition for asylum seekers who are not eligible for income support because of their asylum status but would pass the means test for a state benefit if they were United Kingdom citizens. [24823]

Mr. Paice: None.

Modern Apprenticeships

Mr. Bryan Davies: To ask the Secretary of State for Education and Employment what was the total public expenditure on publicity for the accelerated modern apprenticeships. [24575]

Mr. Paice: I refer the hon. Member to the written answer to the hon. Member for Wallsend (Mr. Byers) on 13 February 1996, *Official Report*, column *532*.

No public money has been allocated by this Department specifically for the publicity of accelerated modern apprenticeships.

Mr. Davies: To ask the Secretary of State for Education and Employment how many young people started accelerated modern apprenticeships. [24576]

Mr. Paice: As at December 1995, there were 400 young people on accelerated modern apprenticeships in England and Wales.

Mr. Davies: To ask the Secretary of State for Education and Employment what was her Department's original forecast of the number of places that would be available on accelerated modern apprenticeships. [24574]

Mr. Paice: Resources were originally made available to support around 9000 places for accelerated Modern Apprenticeships in 1995–96. Feedback from training and enterprise councils and industry training organisations indicated that the needs of the young people involved could be better met by mainstream modern apprenticeships, and the Government agreed to merge accelerated modern apprenticeships and modern apprenticeships from the start of April this year.

Self-employment

Mr. Rooney: To ask the Secretary of State for Education and Employment what assistance is available from her Department for unemployed persons wishing *(a)* to start their own business and *(b)* to become self-employed. [24814]

Mr. Paice: Help for unemployed people wishing to become self-employed or to start their own business is provided through training for work. The Department also contributes to the work of the Prince's Youth Business Trust which helps disadvantaged young people aged 18 to 29 to set up in business through the provision of grants and loans.

School Premises

Mr. Blunkett: To ask the Secretary of State for Education and Employment if she will make a statement on *(a)* the discretion of governors in charging outside bodies for the use of schools' premises and *(b)* guidelines she has issued in respect of minimum or maximum amounts to be charged. [24631]

Mrs. Gillan: Guidance on charging outside bodies for the use of school premises is contained in "Our School—Your School", published by the Department for Education and Employment and sent to all schools and local education authorities on 24 October 1995. There are no specific guidelines on minimum or maximum amounts to be charged. Subject to any directions issued by a local education authority might place on its own schools, school governors are free to negotiate charges with users, so long as they at least break even overall. Schools can apply whatever income they earn for the purposes of the school.

Publication Costs

Mr. Blunkett: To ask the Secretary of State for Education and Employment what was the total cost of *(a)* her Department's departmental report for 1996 and *(b)* "Department for Education and Employment: Action in London", broken down to show the cost of (i) compilation and (ii) printing and distribution. [24627]

Mr. Robin Squire: The total cost of the Department's departmental report, published in March 1996, was £60,500. This comprised: (i) compilation, £29,500; (ii) printing and distribution, £31,000.

The total cost of "Department for Education and Employment: Action in London" was £17,400. This comprised: (i) compilation, £7,900; (ii) printing and distribution, £9,500.

Jobseeker's Allowance

Mr. Rooney: To ask the Secretary of State for Education and Employment if his Department will accept an average of the annual amount of guided learning hours calculated over the number of weeks in which there are any such hours as a weekly figure when deciding whether students on courses funded by the Further Education Funding Council for Wales are part-time for the purposes of the jobseeker's allowance. [24812]

Mr. Forth: The jobseeker's allowance regulations provide that a person who undertakes a course funded or part-funded by the Further Education Funding Council for Wales will be considered to be a part-time student if a document signed on behalf of the establishment which is funded by the FEFC for Wales for the delivery of the course says that the course involves 16 guided learning hours or less a week.

In the case of courses funded by the Secretary of State for Scotland at a college of further education, a student will be considered to be part-time if a document signed on behalf of the college says that the course involves 16 hours or less a week of classroom or workshop-based programmed learning under the direct guidance of teaching staff; or 21 hours or less a week, made up of 16 hours or less of classroom or workshop-based programme learning under the direct guidance of teaching staff and additional hours using structured learning packages with the support of teaching staff.

In both cases, the Employment Service will accept these documents as evidence of whether or not a person is a part-time student. In the case of courses funded by the FEFC for Wales, the number of hours per week will be calculated on the basis of a weekly average of the number of guided learning hours for the course. In the case of courses funded by the Secretary of State for Scotland at a college of further education, the number of hours of study per week will be calculated in the same way.

Mr. Rooney: To ask the Secretary of State for Education and Employment if part-time students in receipt of the jobseeker's allowance will be deemed to have restricted their availability for work where they have paid a fee for the course. [24813]

Mr. Forth: People who receive jobseeker's allowance and study part time must remain available for work. Independent adjudication officers will determine whether or not a person is available for work, taking into account all the relevant circumstances of the case: payment of a fee for a course will not automatically mean that a person will be considered to have restricted his or her availability for work.

For certain jobseekers, the Jobseekers' Allowance Regulations 1996 have the effect that payment of a fee should not be taken into account. For people who have, broadly, been unemployed for three months in the last six no matter relating to their course will be taken into account when determining whether they are available for work providing they are willing and able to rearrange the hours of their course to take a job within the hours they have agreed they are available for work in their jobseeker's agreement.

Student Grants

Mr. Llwyd: To ask the Secretary of State for Education and Employment what was the average grant received by students in *(a)* 1985, *(b)* 1990, *(c)* 1992, *(d)* 1993, *(e)* 1994 and *(f)* 1995; and if she will make a statement. [24617]

Mr. Forth: The average net maintenance grants after means-testing received by mandatory award holders in England and Wales in the academic years 1984–85, 1989–90, 1991–92 to 1994–95, the latest year for which data are available, are set out in the table. Since 1990–91, eligible students have also had access to non-means-tested student loans.

Average net maintenance grants to holders of mandatory awards England and Wales

1984–85	1,240
1989–90	1,390
1991–92	1,550
1992–93	1,610
1993–94	1,670
1994–95[2]	1,520

[1] To the nearest £10.[2] 1994–95 data are provisional.

Graduates

Mr. Llwyd: To ask the Secretary of State for Education and Employment what percentage of *(a)* Welsh, *(b)* Scottish, *(c)* Northern Irish and *(d)* English graduates secured full-time employment within one year of graduation in (i) 1985, (ii) 1990, (iii) 1992, (iv) 1994 and (v) 1995; and if she will make a statement. [24614]

Mr. Forth: The available information based on graduates' employment position six months after graduation is as follows:

Percentage of graduates in employment six months after graduating, Great Britain

Year of qualification	*Percentage*
1985	63
1990	60
1992	52
1994	57

Separate figures for each country are not readily available.

Mr. Llwyd: To ask the Secretary of State for Education and Employment how many graduates left university and took up careers in industry in each of the last five years; and if she will make a statement. [24608]

Mr. Forth: The available information is given in the following table.

Graduates employed in industry six months after graduating, Great Britain

Year of qualification	*Numbers*	*As a percentage of all graduates with known destination*
1990	16,200	15.1
1991	12,600	11.1
1992	11,800	9.6
1993	13,200	9.5
1994	16,800	10.7

Centre for Health and Academic-related Research, Sheffield

Mr. Blunkett: To ask the Secretary of State for Education and Employment (1) which institutions funded the Sheffield centre for health and academic-related research; and who was responsible for negotiating its funding agreements over the last three years; [24632]

(2) if she will list the staff employed by the university of Sheffield in the Sheffield centre for health and academic-related research, indicating those formerly in the employment of Trent regional health authority; if she will make a statement on the academic research experience of the staff; if she will list the salary levels of these staff; and which bodies are responsible for paying these salaries. [24633]

Mr. Forth: The information requested is not held centrally. Universities are responsible for their own staffing matters.

Part-time Studies

Mr. Dafis: To ask the Secretary of State for Education and Employment what estimate she has made of the impact of the 1996–97 settlement to universities on the opportunities for part-time studies. [23707]

Mr. Forth: The November 1995 Budget settlement confirmed the 1994 plans for higher education recurrent expenditure, but planned capital expenditure was reduced reflecting the policy that capital should, wherever possible, be financed through private finance schemes. I understand that, in response to the Secretary of State's guidance, the Higher Education Funding Council for England has recently decided to allocate extra resources for part-time students in science and engineering in 1996–97.

Discretionary Awards

Mr. Hinchliffe: To ask the Secretary of State for Education and Employment what percentage of local authority budgets for education was spent on discretionary awards for each year since 1990. [24125]

Mr. Forth: Information is not available in the form requested. The following table shows total local education authority expenditure in England on discretionary awards in the academic years 1990–91 to 1994–95 and total net recurrent local authority expenditure on education in the financial years 1990–91 to 1994–95. Because the figures for discretionary awards expenditure and net recurrent expenditure are not directly comparable, it not possible to calculate the percentage of total expenditure which is attributable to discretionary awards.

Expenditure by local education authorities: England

Academic year	*Expenditure on discretionary awards[1] £m (cash terms)*	*Financial year*	*Total expenditure on education[1, 2] £m (cash terms)*
1990–91	198	1990–91	17,230
1991–92	222	1991–92	19,451
1992–93	219	1992–93	20,892
1993–94	173	1993–94	18,635
1994–95[3]	132	[3]1994–95	18,392

Source:
[1] LEA returns of form 503G and LEA RO1 returns to the Department of the Environment.
Notes:
[2] Net recurrent expenditure, ie., total recurrent expenditure, excluding joint arrangements, minus customer and client receipts and revenue from LEAs for pupils and students educated by other authorities.
[3] Provisional.

Special Needs

Mr. Hinchliffe: To ask the Secretary of State for Education and Employment what estimate she has made of average local authority costs incurred in the statementing procedure for a child; and how many children were statemented in the last year for which figures are available. [24126]

Mrs. Gillan: In 1994, the latest year for which information is currently available, local education authorities' returns indicate that statements were issued for the first time in respect of some 45,800 children. The Department does not collect information on the average cost of statutory assessments.

Devon and Cornwall Training and Enterprise Council

Mr. Jamieson: To ask the Secretary of State for Education and Employment if she will list the membership of the business and Education board of the Devon and Cornwall training and enterprise council since 1987 by *(a)* name, *(b)* dates of birth and *(c)* remuneration given. [24648]

Mr. Paice: Membership of the main board and training and enterprise council area boards of Devon and Cornwall TEC is listed in the annual review report of the TEC, which was established in 1990. Board directors are appointed within the eligibility criteria set out in the Department's contract with the TEC. The appointments are made by the TEC. No remuneration is given. The hon. Member will need to contact the TEC for the further information that he seeks about the dates of birth of board directors.

Student Unions

Mr. Llwyd: To ask the Secretary of State for Education and Employment how many representations she has received on making membership of students' unions voluntary; and if she will make a statement. [25009]

Mr. Forth: Membership of students' unions was made voluntary by the Education Act 1994, which gave students the right not to belong to their students' union. Since September 1994, when this provision came into force, there has been one representation that membership should be on an opt-in basis.

Nursery Places, Lancashire

Mr. Pike: To ask the Secretary of State for Education and Employment how many children are currently in nursery places in Lancashire; what percentage this is of the children of nursery age; and what estimate she has made of the change in each case from the introduction of the nursery voucher scheme. [24876]

Mr. Robin Squire: In January 1995, the latest date for which information is available, 8,130 or 21 per cent. of children aged three and four were being taught in maintained nursery schools and nursery classes in maintained primary schools in Lancashire Local Education Authority area. In addition, 12,867 or 33 per cent. of children aged three and four were being taught in infant classes in maintained primary schools.

The number of additional places for four-year-olds created through the nursery voucher scheme in any local authority area will depend on the response of providers to parental demand. I am confident that providers of all types, either alone or in partnership, will satisfy parental demand over time.

After-school Care

Mr. Pike: To ask the Secretary of State for Education and Employment what is the current number of places available for after-school care; and what plans she has to increase aid provision. [24877]

Mrs. Gillan: Since the out-of-school child care initiative started in April 1993, 57,145 places have been created in England up to the end of February 1996. Further funding of £12.5 million has been made available to extend the initiative for a further three years from April 1996.

"Lifelong Learning"

Mr. Olner: To ask the Secretary of State for Education and Employment what measures she plans to introduce as a result of the consultation process on the "Lifelong Learning" document. [25172]

Mr. Paice: There has been a tremendous interest in the consultation exercise, which is now being analysed. It would be premature to make any announcements at this stage. The Government will be responding in due course. The Department already has many successful measures in place to support lifetime learning.

Aggregate Schools Budget, Liverpool

Mr. Alton: To ask the Secretary of State for Education and Employment what is the 1996–97 aggregate schools budget for Liverpool local education authority. [24923]

Mr. Robin Squire: Liverpool's aggregated schools budget for 1996–97 is £140,991,000. This figure is taken from budget statement published by the local education authority under section 42 of the Education Reform Act, 1988.

Security Guards (Schools)

Ms Janet Anderson: To ask the Secretary of State for Education and Employment if she will make a statement on the use of private security guards in schools. [24884]

Mr. Robin Squire: Whether or not to employ security guards is a matter for schools and local education authorities to decide in the light of their assessment of security risks and the range of measures which can be taken to reduce those risks in the circumstances of each school. I am aware that some schools do employ such staff, mainly for security patrols outside school hours. The Department produces guidance on a range of security measures for schools, including the use of security guards.

Merseyside Training and Enterprise Council

Mr. Luff: To ask the Secretary of State for Education and Employment what progress Merseyside TEC is making in meeting the criteria for the award of a three-year licence. [25371]

Mr. Paice: I am pleased to announce the award of a three-year licence to Merseyside TEC, which has now completed the process of meeting the rigorous standards that we set.

Compliance Cost Assessments

Ms Ruddock: To ask the Secretary of State for Education and Employment how many compliance cost assessments were produced by her Department in 1995; and if she will place copies in the Library. [25260]

Mr. Robin Squire: The Department for Education and Employment or its predecessors produced two compliance cost assessments in 1995:

(a) for the Activities Centres (Young Person's Safety) Bill; and

(b) for the employment code of practice under the Disability Discrimination Act 1985.

Copies are available in the Library.

Dance and Drama Students

Mr. Luff: To ask the Secretary of State for Education and Employment when she plans to make a statement on alternative funding proposals for students of dance and drama. [25248]

Mr. Forth: My right hon. Friend has no plans to make such a statement.

Mr. Luff: To ask the Secretary of State for Education and Employment what recent assessment she has made of the number of local education authorities that currently make discretionary awards to students of dance and drama. [25249]

Mr. Forth: Discretionary awards are a matter for local education authorities. No recent assessment of the distribution of such awards by subject has been made.

Left-handedness

Mr. Luff: To ask the Secretary of State for Education and Employment if she will conduct a survey of the teacher training institutions to establish what strategies they have in place to enable new teachers to assist left-handed pupils with their writing. [25367]

Mr. Robin Squire: The Office for Standards in Education publishes reports following its inspections of initial teacher training courses. The Teacher Training Agency accredits course providers to ensure that they meet the Secretary of State's criteria. These criteria require new teachers to be able to identify and to respond appropriately to relevant individual differences between pupils. Despite being left-handed, I see no need for further information from providers in this respect.

Age Discrimination

Mr. Gapes: To ask the Secretary of State for Education and Employment what action the Government are taking within the Council of Ministers to end age discrimination in Europe. [25330]

Mrs. Gillan: The Government's policy is to tackle age discrimination through this Department's campaign for older workers. The campaign, which I head, operates through persuasion and education. It aims to persuade employers of the business benefits in recruiting, retraining

and retaining workers on merit; to raise awareness of the importance of older workers; and to support older workers in remaining active in the labour market.

On the 29 June 1995, the Council of Ministers adopted the resolution on the employment of older workers, reference 8258/95 SOC 201. A copy has been deposited in the House of Commons Library. The resolution recognises the significance of older workers as an employment issue. Equally, it recognises the importance of member states following their own policies in combating this problem.

Schools Statistics

Mr. Dunn: To ask the Secretary of State for Education and Employment if she will list in rank order for each local education authority the number and percentage of pupils obtaining five GCSEs at grade C or above in the latest year for which figures are available together with *(a)* the number and percentage of pupils obtaining three A–level passes, *(b)* the average primary school class size, *(c)* the average secondary school class size, *(d)* expenditure per primary pupil and *(e)* expenditure per secondary pupil; and if she will indicate in each of *(a)* to *(e)* the local education authority's rank order. [24030]

Mr. Paice *[holding answer 2 April 1996]:* The following table lists in rank order for each local education authority the number and percentage of pupils obtaining five GCSEs at grade C or above in 1994–95 together with *(a)* the number and percentage of pupils obtaining three or more GCE A–level or AS equivalent passes in 1994–95, *(b)* the average primary school class size, *(c)* the average secondary school class size, *(d)* expenditure per primary pupil and *(e)* expenditure per secondary pupil. In each case, the local education authority's rank order is indicated.

Maintained schools in England[1]

Local Education Authority	*Pupils aged 15 achieving 5 or more GCSE grades A*[2]*—C, 1994–95*			*Pupils aged 17 achieving 3 or more GCE A/AS passes, 1994–95*		
	Number	*Percentage*	*Rank*	*Number*	*Percentage*	*Rank*
Kingston upon Thames	756	55.5	1	254	49.3	46
Sutton	982	52.9	2	466	59.3	11
Barnet	1,618	52.7	3	532	46.7	60
Harrow	1,087	52.5	4	—	—	—
Isles of Scilly	11	52.4	5	—	—	—
West Sussex	3,912	51.0	6	727	47.5	55
North Yorkshire (inc York)	4,061	50.2	7	1,243	68.9	3
Gloucestershire	2,919	49.4	8	907	54.8	24
Surrey	4,491	49.3	9	1,000	51.4	39
Buckinghamshire	3,789	49.1	10	1,766	56.7	20
Dorset	3,347	48.8	11	1,064	54.8	24
Wiltshire	2,976	48.4	12	707	51.6	37
Berkshire	4,075	48.3	13	1,518	56.7	19
Richmond upon Thames	682	48.1	14	—	—	—
Hertfordshire	5,543	47.9	15	2,096	51.1	40
Solihull	1,369	47.9	15	72	21.5	95
Somerset	2,298	47.7	17	269	48.9	47
Stockport	1,389	47.5	18	—	—	—
Bromley	1,359	47.4	19	569	53.2	30
Trafford	1,019	47.1	20	302	78.0	1
Cheshire	5,431	46.8	21	1,583	58.7	13
Cornwall	2,490	46.3	22	370	43.9	68
Hampshire	7,489	46.0	23	183	40.1	75
Oxfordshire	2,636	45.8	24	845	51.9	36
Suffolk	3,248	45.8	24	1,065	48.8	48
Shropshire	2,300	45.6	26	344	53.3	28
Bury	921	45.3	27	—	—	—
Redbridge	1,127	45.1	28	529	49.7	44
Lincolnshire	3,101	44.8	29	1,121	66.4	5
Cambridgeshire	3,304	44.5	30	743	49.4	45
Sefton	1,500	43.8	31	422	53.6	26
Warwickshire	2,337	43.8	31	796	60.1	9
Cumbria	2,329	43.5	33	888	61.6	8
Devon	4,709	43.2	34	1,195	46.8	59
Norfolk	3,494	43.2	34	900	48.7	49
Bexley	1,064	43.1	36	338	48.6	50
Wirral	1,668	43.1	36	636	57.7	17
Hereford and Worcester	3,296	43.0	38	915	58.4	15
Essex	7,512	42.8	39	1,827	53.1	32
Northumberland	1,724	42.8	39	617	47.3	56
Wigan	1,664	42.4	41	116	50.9	41
Havering	1,196	42.1	42	284	59.9	10
East Sussex	2,712	41.9	43	411	40.1	75
Kent	7,516	41.9	43	2,960	52.6	35
Lancashire	6,684	41.7	45	1,139	65.2	6
Dudley	1,480	41.6	46	72	55.8	23
Camden	706	41.5	47	312	44.0	67
Bolton	1,313	41.4	48	314	68.7	4

Maintained schools in England[1]

Local Education Authority	*Pupils aged 15 achieving 5 or more GCSE grades A*[2]*—C, 1994–95*			*Pupils aged 17 achieving 3 or more GCE A/AS passes, 1994–95*		
	Number	*Percentage*	*Rank*	*Number*	*Percentage*	*Rank*
Avon	4,058	41.2	49	1,140	45.3	64
North Tyneside	888	40.2	50	205	48.2	51
Northamptonshire	2,873	40.0	51	961	46.9	58
Derbyshire	4,307	39.8	52	1,266	59.1	12
Leicestershire	4,167	39.7	53	1,287	53.0	33
Bedfordshire	2,565	39.3	54	854	57.4	18
Enfield	1,200	39.3	54	449	47.2	57
Isle of Wight	529	39.1	56	204	50.9	41
Hounslow	989	39.0	57	233	32.6	86
Merton	578	39.0	57	88	41.3	74
Staffordshire	4,699	38.7	59	1,315	57.9	16
Hillingdon	926	37.8	60	290	42.2	72
St. Helens	832	37.6	61	214	56.6	22
Kirklees	1,702	37.5	62	327	53.3	28
Calderdale	884	37.1	63	312	47.9	54
Croydon	1,160	36.8	64	104	23.4	92
Gateshead	847	36.4	65	216	46.0	62
Sheffield	1,872	36.3	66	411	64.6	7
Kensington and Chelsea	179	36.2	67	64	37.2	78
Rotherham	1,195	36.2	67	288	46.7	60
Nottinghamshire	4,055	36.0	69	1,292	53.2	30
Leeds	2,737	35.8	70	1,010	53.5	27
Wakefield	1,279	35.2	71	164	42.4	71
Brent	686	35.1	72	192	25.9	91
Durham	2,514	34.4	73	575	50.7	43
Coventry	1,142	34.0	74	377	43.7	69
South Tyneside	655	34.0	74	29	34.5	82
Humberside	3,666	33.8	76	754	53.0	33
Cleveland	2,506	33.6	77	145	56.6	21
Ealing	815	33.5	78	181	36.4	80
Tameside	881	33.3	79	8	26.7	90
Rochdale	789	32.8	80	123	42.9	70
Waltham Forest	740	32.7	81	43	33.1	85
Oldham	995	31.9	82	177	51.6	37
Hammersmith & Fulham	334	31.8	83	101	45.3	64
Doncaster	1,071	31.5	84	449	48.1	52
Walsall	1,082	31.3	85	418	45.8	63
Birmingham	3,510	31.2	86	1,079	48.1	52
Sunderland	1,202	31.1	87	183	58.7	13
Wolverhampton	905	30.9	88	265	37.3	77
Wandsworth	476	30.0	89	103	27.3	88
Barnsley	730	29.0	90	60	74.1	2
Lewisham	576	29.0	90	129	31.9	87
Westminster	353	28.8	92	127	34.5	82
Newcastle upon Tyne	782	28.5	93	277	44.7	66
Greenwich	726	28.3	94	111	22.6	94
Bradford	1,673	28.1	95	564	35.3	81
Salford	650	27.9	96	—	—	—
Barking & Dagenham	469	27.6	97	64	27.0	89
Haringey	462	27.5	98	75	22.7	93
Sandwell	963	26.9	99	111	33.2	84
Liverpool	1,414	26.1	100	447	37.1	79
Hackney	328	23.9	101	28	19.4	96
Newham	607	23.7	102	17	16.2	98
Lambeth	285	23.2	103	1	3.3	101
Manchester	900	22.5	104	73	42.0	73
Southwark	372	22.2	105	1	1.4	102
Tower Hamlets	435	21.7	106	40	14.4	100
Knowsley	349	19.2	107	24	18.5	97
Islington	221	17.4	108	20	15.4	99
Corporation of London	—	—	—	—	—	—
Total England	528,319	40.4		54,482	50.06	

[1] The figures for GCSE and GCE A/AS achievements and the class sizes are based on LEA and grant maintained schools in England. The unit costs are based on LEA maintained schools only and excluded grant maintained schools.

[2] The percentages of 15-year-old pupils achieving five or more GCSE grades A*–C and 17-year-old pupils achieving three or more GCE A/AS passes are based on those on roll in maintained schools at January 1995.

Local Education Authority	Single teacher class sizes January 1995				1994–95 unit costs			
	Primary		Secondary		Pre-primary and primar		Secondary	
	Class size	Rank	Class size	Rank	Cost (£)	Rank	Cost (£)	Rank
Kingston upon Thames	29.5	108	20.0	4	1,730	80	2,518	86
Sutton	28.0	91	21.5	44	1,860	88	2,514	85
Barnet	26.5	26	19.4	2	1,763	85	2,415	81
Harrow	27.1	57	22.9	96	2,043	96	2,598	90
Isles of Scilly	17.3	1	26.0	108	2,471	106	4,484	108
West Sussex	26.5	26	21.9	65	1,668	64	2,240	47
North Yorkshire (including York)	26.2	20	20.7	19	1,577	29	2,180	31
Gloucestershire	26.7	34	21.6	50	1,274	1	1,937	1
Surrey	25.6	11	21.6	50	1,744	82	2,234	45
Buckinghamshire	27.3	61	20.6	15	1,636	48	2,256	50
Dorset	27.6	75	21.8	62	1,510	10	2,061	11
Wiltshire	26.9	44	21.4	40	1,548	17	2,125	20
Berkshire	27.0	52	20.3	9	1,630	45	2,238	46
Richmond upon Thames	26.1	17	23.5	104	1,884	89	2,373	76
Hertfordshire	26.5	26	20.0	4	1,717	75	2,264	54
Solihull	27.6	75	21.6	50	1,605	34	2,225	38
Somerset	27.0	52	22.5	87	1,660	58	2,113	18
Stockport	27.5	70	21.9	65	1,566	24	2,152	25
Bromley	28.4	100	20.2	8	1,634	46	2,231	42
Trafford	29.0	105	21.8	62	1,477	5	2,319	65
Cheshire	27.3	61	21.3	35	1,529	13	2,176	29
Cornwall	27.0	52	22.2	81	1,615	41	2,202	33
Hampshire	27.7	80	22.3	84	1,645	52	2,177	30
Oxfordshire	25.9	14	21.1	31	1,680	67	2,285	58
Suffolk	24.9	3	20.9	24	1,690	69	2,182	32
Shropshire	26.6	31	21.5	44	1,605	34	2,413	80
Bury	27.8	84	23.0	99	1,492	7	2,032	5
Redbridge	29.2	106	20.6	15	1,678	66	2,553	82
Lincolnshire	26.8	39	20.0	4	1,588	30	2,384	77
Cambridgeshire	27.3	61	21.8	62	1,540	15	2,160	26
Sefton	27.6	75	21.9	65	1,487	6	2,227	40
Warwickshire	26.9	44	20.6	15	1,665	62	2,349	71
Cumbria	26.2	20	21.0	26	1,541	16	2,034	7
Devon	26.7	34	21.3	35	1,554	20	2,203	34
Norfolk	25.4	7	20.0	4	1,600	33	2,342	69
Bexley	28.6	103	21.4	40	1,536	14	2,232	44
Wirral	26.1	17	20.5	13	1,567	25	2,294	61
Hereford and Worcester	25.5	10	21.9	65	1,643	51	2,063	13
Essex	26.9	44	21.9	65	1,734	81	2,321	66
Northumberland	27.2	59	22.7	90	1,528	12	1,944	2
Wigan	28.0	91	21.6	50	1,474	4	2,130	21
Havering	27.4	67	22.0	74	1,715	74	2,570	88
East Sussex	27.5	70	21.3	35	1,692	70	2,359	74
Kent	27.7	80	20.7	19	1,555	21	2,276	57
Lancashire	27.9	88	21.6	50	1,661	60	2,345	70
Dudley	27.3	61	22.9	96	1,575	26	2,205	35
Camden	27.3	61	19.8	3	2,057	98	2,790	99
Bolton	28.7	104	21.3	35	1,646	54	2,261	53
Avon	27.8	84	21.1	31	1,613	40	2,336	67
North Tyneside	26.9	44	22.1	77	1,636	48	2,145	23
Northamptonshire	26.7	34	20.8	23	1,618	42	2,265	55
Derbyshire	27.9	88	21.7	57	1,596	32	2,290	59
Leicestershire	26.5	26	22.2	81	1,612	38	2,274	56
Bedfordshire	26.8	39	21.9	65	1,674	65	2,231	42
Enfield	28.4	100	21.0	26	1,761	84	2,359	74
Isle of Wight	26.3	23	22.1	77	1,607	36	2,030	4
Hounslow	27.4	67	21.5	44	1,931	92	2,582	89
Merton	27.0	52	22.0	74	1,931	92	2,663	95
Staffordshire	27.6	75	22.0	74	1,565	23	2,104	15
Hillingdon	26.8	39	20.7	19	1,777	86	2,625	93
St. Helens	27.0	52	20.3	9	1,521	11	2,247	49
Kirklees	28.2	96	20.9	24	1,607	36	2,256	50
Calderdale	27.5	70	21.0	26	1,651	56	2,104	15
Croydon	28.1	94	22.2	81	1,725	79	2,165	27
Gateshead	26.0	15	20.4	11	1,638	50	2,257	52
Sheffield	26.8	39	22.6	88	1,612	38	2,110	17
Kensington and Chelsea	25.1	4	18.5	1	2,397	104	3,327	106
Rotherham	25.8	13	21.4	40	1,719	77	2,220	36
Nottinghamshire	27.4	67	20.6	15	1,692	70	2,396	79

Local Education Authority	Single teacher class sizes January 1995				1994–95 unit costs			
	Primary		Secondary		Pre-primary and primar		Secondary	
	Class size	Rank	Class size	Rank	Cost (£)	Rank	Cost (£)	Rank
Leeds	28.2	96	20.5	13	1,645	52	2,223	37
Wakefield	27.9	88	21.7	57	1,590	31	2,046	9
Brent	26.9	44	21.0	26	1,718	76	2,033	6
Durham	27.7	80	21.9	65	1,757	83	2,122	19
Coventry	27.8	84	22.9	96	1,705	72	2,418	82
South Tyneside	26.3	23	22.6	88	1,623	44	2,062	12
Humberside	27.7	80	22.8	91	1,652	57	2,304	62
Cleveland	26.9	44	22.1	77	1,505	8	2,172	28
Ealing	26.6	31	22.1	77	1,969	94	2,457	84
Tameside	29.5	108	23.8	105	1,447	3	2,046	9
Rochdale	29.2	106	23.3	103	1,552	19	2,225	38
Waltham Forest	26.5	26	23.0	99	1,792	87	2,395	78
Oldham	28.5	102	22.8	91	1,621	43	2,293	60
Hammersmith & Fulham	25.6	11	22.8	91	2,482	107	3,316	105
Doncaster	28.1	94	21.4	40	1,444	2	2,025	3
Walsall	26.0	15	20.4	11	1,664	61	2,314	63
Birmingham	28.2	96	21.7	57	1,721	78	2,356	73
Sunderland	25.4	7	21.0	26	1,576	28	2,142	22
Wolverhampton	26.2	20	21.6	50	1,648	55	2,341	68
Wandsworth	25.2	5	21.7	57	2,268	101	3,053	102
Barnsley	27.5	70	22.8	91	1,550	18	2,102	14
Lewisham	25.4	7	21.6	50	2.097	99	2,677	96
Westminster	25.3	6	21.1	31	2,440	105	2,825	100
Newcastle upon Tyne	27.6	75	21.3	35	1,660	58	2,314	63
Greenwich	26.4	25	21.7	57	2,028	95	2,772	98
Bradford	27.8	84	22.8	91	1,681	68	2,041	8
Salford	27.3	61	21.9	65	1,507	9	2,151	24
Barking & Dagenham	26.7	34	21.2	34	1,891	90	2,353	72
Haringey	27.2	59	21.5	44	2,300	102	2,986	101
Sandwell	28.2	96	21.9	65	1,666	63	2,244	48
Liverpool	27.1	57	20.7	19	1,634	46	2,603	91
Hackney	26.1	17	21.5	44	2,249	100	3,138	103
Newham	27.5	70	24.2	106	1,711	73	2,623	92
Lambeth	24.6	2	21.5	44	2,573	108	3,782	107
Manchester	26.9	44	22.3	84	1,558	22	2,435	83
Southwark	26.9	44	24.7	107	1,898	91	2,681	97
Tower Hamlets	26.7	34	23.1	101	2,393	103	3,194	104
Knowsley	28.0	91	22.4	86	1,575	26	2,227	41
Islington	26.6	31	23.2	102	2,055	97	2,657	94
Corporation of London	26.8	39	N/A	—	3,635	109	N/A	—
Total England	27.1		21.5		1,661		2,270	

[1] The figures for GCSE and GCE A/AS achievements and the class sizes are based on LEA and grant maintained schools in England. The unit costs are based on LEA maintained schools only and excluded grant maintained schools.
[2] The percentages of 15-year-old pupils achieving five or more GCSE grades A*-C and 17-year-old pupils achieving three or more GCE A/AS passes are based on those on roll in maintained schools at January 1995.

TRADE AND INDUSTRY

Challenge Programme

Mr. Sheerman: To ask the President of the Board of Trade when his Department's challenge programme was introduced; and when it will be completed. [24196]

Mr. John M. Taylor: My Department runs a number of challenge programmes. The regional challenge was launched in February 1995 and the winners were announced by my right hon. Friend the Minister for Industry and Energy last December. Following the success of that round, we intend to launch a second round, probably early next year. In July 1995, my right hon. Friend the President of the Board of Trade announced details of the export challenge to trade associations and the winners of this challenge were announced by my hon. Friend the Minister for Trade in March. The technology foresight challenge was launched in September 1995. The final results of this challenge are expected to be announced in May or June. In February 1996, we announced at the launch of our information society initiative—the first of a number of challenges designed to encourage business support organisations to participate in the initiative. The results of this first challenge, which is for trade associations, will be announced in June 1996. Details of the further challenges under the initiative will be given later in the year. Finally, my Department has also jointly funded the skills challenge with the Department for Education and Employment. The results of the second round of this challenge were announced recently. The Department continues to look for new areas that would benefit from the introduction of challenge funding.

Industry Council

Sir Michael Grylls: To ask the President of the Board of Trade if he will make a statement on the outcome of the EC Industry Council meeting held on 28 March. [25119]

Mr. Eggar: The Council adopted resolutions on the co-ordination of activities in favour of small and medium-sized enterprises—SMEs—and on an industrial policy for the EU pharmaceutical industry. The Council also agreed conclusions on a Commission communication on the impact of international developments on the textile and clothing sector.

The Commission made oral presentations on its proposal for a new SME multi-annual programme for the period 1997 to 2000, on its green paper on innovation and the work of the research/industry task forces on its communication on the challenges facing the EU defence-related industry and on its communication on the competitiveness of EU maritime industries.

The Council debated the issue of how many separate directives should be adopted on food for particular nutritional uses—"dietary foodstuffs". It did not prove possible to reach a common position on the basis of the presidency's compromise proposal, which is expected to be discussed further at the Internal Market Council on 28 May.

Shipbuilding was raised under other business. The Commission indicated that it would produce a proposal for extending the existing directive on aid to shipbuilding, in the event of further delays in the ratification of the OECD agreement. Denmark circulated a short paper on the need to strengthen EU monitoring of shipbuilding aid rules. Finally, the Commission provided information on the Bremer Vulcan aid case and made clear that it would take firm action. Germany acknowledged that the case represented a misuse of public funds.

The presidency outlined its plans for an EU-Mediterranean conference of Industry Ministers on 21 May.

No votes were taken at the Council.

Coal Mining

Mr. Clapham: To ask the President of the Board of Trade if he will discuss with the Coal Authority, as early as possible, arrangements to establish a register of all companies involved in mining operations in the United Kingdom and to ensure the deposit of a copy of each company's current employers liability insurance certificate. [25003]

Mr. Page: In accordance with the provisions of section 35 of the Coal Industry Act 1994, a register of licences granted for the carrying out of coal mining operations has been established by the Coal Authority. The enforcement of legislative requirements on employers' liability insurance is a matter for the Health and Safety Executive.

Ms Ruddock: To ask the President of the Board of Trade if he will list the measures which the Coal Authority *(a)* has taken to date and *(b)* proposes to take to deal with pollution from abandoned mines. [24800]

Mr. Page: This is a matter for the Coal Authority. I have asked the chairman to write to the hon. Member.

Oil and Gas Exploration

Dr. Godman: To ask the President of the Board of Trade what recent discussions he has held with Amoco (UK) exploration company concerning the future decommissioning of the north-west Hutton installation; and when the company submitted an abandonment programme for the structure. [24368]

Mr. Page: Neither my right hon. Friend the President of the Board of Trade nor any other DTI Minister has had discussions with Amoco about decommissioning the north-west Hutton installation. The owners of the installation have not yet been directed to submit a decommissioning programme.

Work Force Representatives

Mr. Hinchliffe: To ask the President of the Board of Trade how work force representatives will be elected for the purposes of Transfer of Undertakings (Protection of Employment) Regulations 1981 requirements; how this process will be monitored; what challenge and appeal safeguards are included; what will be the time scale for elections; how the electorate will be *(a)* determined and *(b)* monitored; and what will be the term of office for those elected. [24124]

Mr. John M. Taylor: Under the Transfer of Undertakings (Protection of Employment) Regulations 1981, as amended, an employer is required to provide, long enough before the transfer of an undertaking for consultation to take place, information to appropriate representatives of any employees who may be affected by the transfer. Appropriate representatives may be representatives of an independent trade union recognised by the employer in respect of those employees or representatives elected by the employees themselves, whether specifically for that purpose or for some other relevant purpose.

The regulations do not specify detailed rules for the election by the affected employees of representatives or the term of their office, but provision is made for complaints to be made to an industrial tribunal about an employer's failure to consult appropriate representatives. If the elected representatives or a recognised trade union consider that the employer has not consulted them as required, or the employees affected have not been given a proper opportunity to elect representatives, they may present a complaint to an industrial tribunal.

Company General Meetings

Mr. Robert G. Hughes: To ask the President of the Board of Trade when he will be publishing a consultative document on the Companies Act provisions under which shareholders may table resolutions for discussion at the annual general meeting. [25354]

Mr. Oppenheim: I have today published a consultative document seeking views on the provisions of the Companies Act relating to the circulation of shareholders' resolutions. This follows up the Government's undertaking to consult on the recommendation of the former Employment Committee in its report, "The Remuneration of Directors and Chief Executives of Privatised Utilities" that the Companies Act should be amended to require shareholders' resolutions, where they are supported by a sufficient number of shareholders and are limited in length, to be circulated by the company to all shareholders without cost.

The consultative document seeks views on whether the existing rules operate effectively. It considers whether good practice in circulating shareholders' resolutions without charge should be incorporated into a statutory requirement and whether a tightening up of the rules would be appropriate. It also examines some related questions concerning the wider issue of communication between shareholders and the board.

Copies of the consultative document "Shareholder Communications at the Annual General Meeting" have been placed in the Libraries of both Houses.

Home Accident Prevention Initiatives

Mr. Nigel Jones: To ask the President of the Board of Trade what plans he has to make the provision of home accident prevention initiatives a mandatory function of local authorities; and if he will make a statement. [24939]

Mr. John M. Taylor: There are no plans to make home accident prevention initiatives a mandatory function of local authorities. Many local authorities already participate in home accident prevention, underpinned by the wide range of free home safety awareness literature provided by my Department's consumer safety unit. However, it is important that local authorities are free to balance this activity alongside other competing priorities.

Mr. Jones: To ask the President of the Board of Trade what plans he has to provide specific funding for local authorities to provide home accident prevention initiatives; and if he will make a statement. [24938]

Mr. Taylor: There are no plans for specific funding for local authorities to provide home accident prevention initiatives. However, my Department makes a wide range of free home safety literature available to local authorities and provides a grant in aid to the Royal Society for the Prevention of Accidents, which is used to support four regional home safety officers who work closely with accident prevention staff in local authorities.

Mr. Jones: To ask the President of the Board of Trade how many accidents in the home necessitated hospital treatment for each year for which records are available; and if he will make a statement. [24899]

Mr. Taylor: The number of home accident victims treated in accident and emergency units in the United Kingdom in 1994 is estimated at 2.9 million—according to one report of the home accident surveillance system, HASS, for 1994.

Estimates for earlier years—1977 onwards—are given in the appropriate HASS reports, copies of which are available in the Library of the House. Prior to 1987, the estimates refer to England and Wales only.

Nuclear Power Industry (Privatisation)

Mr. Merchant: To ask the President of the Board of Trade what are his proposals for employees and pensioners of the nuclear electricity industry to participate in the forthcoming British Energy share offer; and if he will make a statement. [25353]

Mr. Eggar: The Government strongly believe in the positive effects of employee share ownership and I welcome the excellent opportunity which privatisation of British Energy provides for its employees to claim a significant stake in the future of their company. This package is comparable to those offered to employees during previous Government flotations and is in line with out intention of extending share ownership as widely as possible.

I am confident that British Energy's employees will be keen to take advantage of the offer and I look forward to seeing high levels of take-up.

Employees of the British Energy Group will be offered free shares to a fully paid value of about £160, plus shares at a fully paid value of about £2 for every year of continuous service within the electricity supply industry on the day before the prospectus is issued.

Employees will also be offered two free fully paid shares for every share bought at the offer price on a matching basis up to a maximum fully paid value of about £500-worth of free shares. Under this element of the package, if an employee bought shares with a fully paid value of £250, he would receive additional free shares to a fully paid value of £500.

These free and matching shares will be available to employees who have completed at least six months' continuous service within the British Energy Group or, where applicable, Nuclear Electric plc, on the day before the prospectus is issued.

In addition, employees will be able to buy shares up to a maximum fully paid value of about £1,400 of additional shares at a discount of 20 per cent. from the public offer price.

Employees applying for shares will be treated on a priority basis, over the general public, up to an individual fully paid limit of shares worth about £18,000.

These discount and priority shares will be available to each person employed by the British Energy Group on the day before the prospectus is issued.

Magnox Electric employees have been part of the effort by the industry which has brought it to the point where the more modern part can be privatised. The co-operation of Magnox has been vital in the run-up to the restructuring of the industry, which took effect at the end of March. In recognition of this co-operation, special arrangements have been made for employees of Magnox Electric to participate in the British Energy share offer.

Employees of Magnox Electric will be able to buy shares in British Energy up to a maximum fully paid value of about £1,400 of additional shares at a discount of 20 per cent. from the public offer price. Employees applying for shares will be treated on a priority basis, over the general public, up to an individual fully paid limit of shares worth about £18,000. The discount and priority shares will be available to each person employed by Magnox Electric on the day before the prospectus is issued.

Pensioners of both the British Energy Group and Magnox Electric will be able to apply on a priority basis, over the general public, for shares up to a fully paid limit of about £16,600.

The extent to which employees and pensioners will be able to apply for shares on a priority basis, over the general public, may be subject to scaling down if the number of shares applied for by employees and pensioners exceeds a prescribed proportion of the total number on offer.

Further details of the share offer arrangements will be made available individually to employees and pensioners in due course. These will include, where applicable, the requirements of the Inland Revenue as they apply to these offers.

Environmental Technology and Services

Mrs. Roche: To ask the President of the Board of Trade (1) how much was spent on promoting exports in the environmental technology and services industry in 1995–96; [24640]

(2) what is the budget for the year 1995–96 of the joint environmental markets units; and what amount of that budget was spent on export services. [24641]

Mr. Page: The full range of the Government's export promotion and support services were available to the UK environmental technology and services industry in 1995–96. In addition, the joint environmental markets unit—JEMU—and the UK technology partnership initiative—TPI—were also specifically concerned with promoting UK environmental technology and services overseas. The forecast outturn for general export services, excluding staff and overheads, in 1995–96 is approximately £53 million, though it is not possible separately to identify how much was spent promoting exports for the environmental sector. The 1995–96 forecast outturn for JEMU-TPI, excluding staff and overheads, is £431,000, much of which has supported export-related activity either directly or indirectly. In addition, in many cases, TPI funds have leveraged local resources to promote UK technologies and services.

Mrs. Roche: To ask the President of the Board of Trade what account was taken of the effects on environmental technology manufacturers when his Department recommended that the Department of the Environment postpone the upgrading deadlines in the process guidance notes; and if a full cost-benefit analysis was obtained. [24643]

Mr. Page: The decision to postpone the upgrading deadlines in the process guidance notes did not result from a recommendation by my Department. It is for the Department of the Environment, as lead Department, to assess the costs and benefits to the environment and to all those affected by any decision relating to environmental policy.

Mrs. Roche: To ask the President of the Board of Trade if he will take into account the economic cost to environmental technology manufacturers when he makes representations to the Department of the Environment concerning the four-year revision of all chief inspectors evidence notes and process guidance notes. [24642]

Mr. Page: The costs and benefits to all parties with an interest in the revision of these guidance notes will be considered by the Department of the Environment, as the lead Department, at the appropriate time.

Mrs. Roche: To ask the President of the Board of Trade (1) what proposals he has developed a specific export strategy for the environmental technology and services industry; [24638]

(2) what plans his Department has to encourage exports in the environmental technology and services industry. [24639]

Mr. Page: The full range of the Government's export promotion and support services are available to UK suppliers of environmental technologies and services. In addition, in 1992 the Government established a joint environmental markets unit—JEMU—bringing together resources from my Department and the Department of the Environment to ensure that UK firms are informed of the large and growing environmental market opportunities and to help them exploit these opportunities.

As part of a developing strategy, JEMU commissioned a report on the strengths and weaknesses of the UK industry and its global competitiveness, "The UK Environmental Industry: Succeeding in the Changing Global Market". Following this report, the unit has been working closely with the Government's overseas trade services—OTS—including British embassies and high commissions overseas to identify key markets for UK environmental goods and expertise. As a result, environmental technology and services is currently targeted as a priority in 48 of the top 80 UK export markets. JEMU and OTS are also working with industry, trade associations and others to promote export opportunities and to raise the profile of the UK industry abroad.

In addition, JEMU manages the UK technology partnership initiative—TPI—which provides information to business in rapidly industrialising and developing countries on UK environmental technology and expertise. TPI publishes regular information and sponsors overseas seminars about UK capabilities. It has recently reviewed its strategy and is currently producing a directory of 1,000 UK environmental supply companies active or keen to be active in some 37 priority markets. It also aims to expand its network of 3,500 active overseas business multipliers.

As part of its lead sponsorship role, JEMU is currently working with the UK environmental industry to assist it in identifying the factors which affect the industry's competitiveness and in developing a strategy for improved performance. This will include a focus on responding to export opportunities.

Compliance Cost Assessments

Ms Ruddock: To ask the President of the Board of Trade how many compliance cost assessments were produced by his Department in 1995; and if he will place copies in the Library. [25275]

Mr. Lang: My Department published 20 compliance cost assessments in 1995. Copies have already been placed in the Library of the House.

Domestic Gas and Electricity Bills

Mr. Pike: To ask the President of the Board of Trade what is the projected average *(a)* gas and *(b)* electricity bill per household on a regional basis for 1996–97; what were the equivalent figures in 1995–96; and what is the percentage change in each case. [24927]

Mr. Eggar: For the financial year 1995–96, the average regional household electricity bills excluding VAT are given in the table. In England and Wales, the regions represent those covered by the regional electricity companies.

Region	*Average electricity bill[1] during the financial year 1995–96, excluding VAT (£)*
Eastern	264.94
East Midlands	275.78
London	277.26
Manchester and North Wales (MANWEB)	297.99
West Midlands	272.10
Northern	282.09
North West (NORWEB)	255.16
South East (SEEBOARD)	260.50
Southern	270.30
South Wales	311.64
South West	294.69
Yorkshire	272.02
Scotland	272.10
Northern Ireland	326.66
UK average	275.33

[1] Average for a typical domestic consumer with consumption of 3,300 kWh of electricity a year. Calculated from published tariffs and standing charges. The average bill represents the amount paid by a typical household in the financial year including any rebates received by the households.

In addition, domestic electricity customers in England and Wales will have received a £50 discount on their bills in the first quarter of 1996, following the flotation of the National Grid.

For gas, there was no regional difference in pricing to households in the financial year 1995–96. The average household gas bill for a typical customer with consumption of 17,600 kWh per year in 1995–96 was £305.44 excluding VAT.

My Department does not make projections of electricity or gas prices.

British Coal Enterprise

Mr. Tipping: To ask the President of the Board of Trade what sums have been received from the sale of British Coal Enterprise. [25131]

Mr. Page: The sale of British Coal Enterprise, BCE, is a matter for British Coal. I understand that the corporation has not yet completed the sale of all of the activities of BCE.

Public Interest Disclosure Bill

Mr. Touhig: To ask the President of the Board of Trade how many representations his Department has received since 26 February on the Public Interest Disclosure Bill; and *(a)* how many of these were in favour of the Bill and *(b)* how many indicated that the Bill would pose an undue burden on business. [25333]

Mr. John M. Taylor: In the period 26 February to 10 April, my Department received 10 letters expressing support for the Bill and none expressing opposition.

Mr. Touhig: To ask the President of the Board of Trade what public consultations his Department intends to take in respect of the Public Interest Disclosure Bill. [25332]

Mr. Taylor: None.

Mr. Touhig: To ask the President of the Board of Trade what consultations his Department undertook on the Public Interest Disclosure Bill during March. [25331]

Mr. Taylor: None.

LORD CHANCELLOR'S DEPARTMENT

Clerk to the Justices (Middlesex Petty Session)

Mr. Livingstone: To ask the Parliamentary Secretary, Lord Chancellor's Department how often, over the last three years, in each of the Middlesex area petty session courts the clerk to the justices has clerked cases. [25154]

Mr. Jonathan Evans: Magistrates courts are locally managed by magistrates courts committees under the provisions of the Justices of the Peace Act 1979. The sort of information requested is not kept centrally and it is not the sort of information the Department would expect to receive from individuals MCCs.

Clerk to the Justices (Brent)

Mr. Livingstone: To ask the Parliamentary Secretary, Lord Chancellor's Department what salary the clerk to the justices in Brent receives as chief executive in addition to his salary as clerk. [25156]

Mr. Evans: Under the provisions of section 26A of the Justices of the Peace Act 1979, justices' chief executives and justices clerks are employed under contract by magistrates courts committees, on terms which the courts committees decide. I do not have access to individual contracts.

Mr. Livingstone: To ask the Parliamentary Secretary, Lord Chancellor's Department what were the costs to public funds arising from the recent successful appeal by the Brent court clerk to an industrial tribunal against her dismissal; if he will provide a breakdown of the costs; and if he will make a statement about the circumstances that led to this case. [25160]

Mr. Evans: Magistrates courts are locally managed by magistrates courts committees under the provisions of the Justices of the Peace Act 1979. The Department has not been notified of either the amount of the legal costs incurred by the magistrates courts committee, or the amount of the agreed settlement, made in 1994, between the magistrates courts committee and the former employee.

These amounts would have been paid from locally held funds, and no request for additional cash-limited grant was made to cover these payments.

Court Administration Costs (Middlesex)

Mr. Livingstone: To ask the Parliamentary Secretary, Lord Chancellor's Department what, over the last three years, have been the administrative costs of each of the petty sessional courts in the Middlesex area. [25155]

Mr. Jonathan Evans: The areas of eight magistrates courts committees fall within the Middlesex area. Expenditure information is collected and held by this Department at committee and not petty sessional court level. The audited gross revenue expenditure for these eight committees for the three most recent available financial years, as reported to this Department by the responsible local authorities to those magistrates courts committees is:

£

Committee	*1992–93*	*1993–94*	*1994–95*
Barnet	1,692,643	1,852,997	1,906,629
Brent	2,509,038	2,620,844	2,799,017
Ealing	1,689,984	1,996,810	1,984,330
Enfield	1,642,974	1,698,950	1,800,809
Haringey	1,714,042	1,781,759	2,197,974
Harrow	720,115	761,579	802,260
Hillingdon	1,542,868	1,636,486	1,748,196
Hounslow	1,895,440	1,963,763	2,076,765

Brent Court

Mr. Livingstone: To ask the Parliamentary Secretary, Lord Chancellor's Department when the chief inspector of magistrates courts services last conducted an inspection into the efficiency of the Brent court; when the court will next be inspected; and what assessment he has made of the efficiency of the Brent court. [25161]

Mr. Jonathan Evans: The magistrates courts service inspectorate was established in January 1993 with the appointment of the chief inspector, Mrs. Rosemary Melling, to inspect and report on the administration and organisation of all the 100 magistrates courts committees. The inspectorate is still carrying out its first inspection cycle. The inspection of the Brent MCC area is due to take place in November 1996. The subsequent inspection report will be published no later than May 1997.

Licensed Premises (Children's Certificates)

Mr. Steen: To ask the Parliamentary Secretary, Lord Chancellor's Department what estimate he has made of the cost of administering children's certificates for licensed premises, broken down by *(a)* inspections, *(b)* magistrates' time and *(c)* printing costs. [23662]

Mr. Jonathan Evans: At the time of the policy assessment, it was considered that there would be an initial surge of work in the magistrates courts but that this would then level off and be cost neutral. Since the introduction of children's certificates, there has been no evidence to suggest that this assessment was wrong.

Courts (Wales)

Mr. Llwyd: To ask the Parliamentary Secretary, Lord Chancellor's Department: how many magistrates courts there were in Wales in *(a)* 1979, *(b)* 1989, *(c)* 1993 and *(d)* at the latest available date; and if he will make a statement. [24623]

Mr. Jonathan Evans: The provision of courthouses is a matter for the magistrates courts committee in conjunction with the paying authority. The Lord Chancellor is involved only when there is an appeal by a local authority against a proposed closure. Information is therefore not collected centrally.

Mr. Llwyd: To ask the Parliamentary Secretary, Lord Chancellor's Department, what was the cost of administering *(a)* county courts and *(b)* Crown courts in Wales in each year since 1990; and if he will make a statement. [24598]

Mr. Evans: The question concerns a specific operational matter on which the chief executive of the Court Service is best placed to provide an answer. I have accordingly asked the chief executive to reply direct.

Letter from M. D. Huebner to Mr. Elfyn Llwyd, dated 16 April 1996:

The Parliamentary Secretary, Lord Chancellor's Department has asked me to reply to your Question about the cost of administering Crown and county courts in Wales.

The table below sets out the cost to the Wales and Chester Circuit since 1990. The figures are in respect of the Circuit as a whole and therefore includes areas of Cheshire. It is not possible to give a separate breakdown for Welsh courts alone. Figures for 1995/96 have not yet been finalised.

£ million

	1990–91	*1991–92*	*1992–93*	*1993–94*	*1994–95*
County	10.153	12.158	14.251	15.160	16.274
Crown	6.210	8.525	10.321	10.093	10.727
Total	16.363	20.683	24.572	25.253	27.001

Legal Aid Board

Mr. Barry Field: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has for the Legal Aid Board to contract out its visits systems to solicitors' offices; and what is the estimated cost to the Legal Aid Board of the franchise audit operation. [24777]

Mr. Jonathan Evans: There are no plans for the Legal Aid Board to contract out its system of franchise audit visits to solicitors' offices. The audit costs are not currently separable from the overall administrative cost of franchising, which was £3.2 million in 1995–96. This included the cost of auditing and related costs such as the recruitment and training of auditors.

Remand Prisoners

Mr. Corbett: To ask the Parliamentary Secretary, Lord Chancellor's Department what proposals he now has to ensure that remand prisoners are brought to trial within a reasonable time. [24794]

Mr. Jonathan Evans: Cases where defendants are on remand are treated as a priority in the magistrates courts and Crown court. In the Crown court, with the national introduction of plea and directions hearings, defendants who are remanded in custody are brought before the court within four weeks of committal, and a date is given for the trial, unless there is a good reason for not doing so. For both the Crown court and the magistrates courts, a sub-group of the trials issues group is considering the operation of current time guidelines and in particular the extent of compliance with those guidelines.

Mr. Corbett: To ask the Parliamentary Secretary, Lord Chancellor's Department in how many cases in each of the last three years for which figures are available courts in England and Wales met the 70-day limit in magistrates courts and 112 days in Crown courts for bringing remand prisoners to trial. [24795]

Mr. Evans: For the Crown court, defendants on remand were brought to trial within 112 days as follows: 1993: 16,579 (77 per cent), 1994: 17,632 (74 per cent), 1995: 19,373 (77 per cent). Figures are not collected in the magistrates' courts on the same basis. However, sample figures indicate that the proportion of defendants remanded in custody throughout, whose proceedings within the magistrates' courts were completed within 70 days is as follows: 1993: 81 per cent, 1994: 84 per cent, 1995: 81 per cent.

HOUSE OF COMMONS

Compassion in World Farming Exhibition

Mr. Morley: To ask the Chairman of the Administration Committee if he will consider an application for an exhibition relating to Compassion in World Farming to be displayed in the Upper Waiting Hall. [24646]

Mr. Michael J. Martin: I understand that, under procedures agreed by the Administration Committee, arrangements have been made for the exhibition to be held in the Upper Waiting Hall from Monday 17 June to Friday 21 June 1996.

Arts Council Exhibition

Mr. Faulds: To ask the Chairman of the Administration Committee if he has considered an application for an exhibition relating to the Arts Council to be displayed in the Upper Waiting Hall. [25449]

Mr. Michael J. Martin: I understand that, under procedures agreed by the Administration Committee, arrangements have been made for the exhibition to be held in the Upper Waiting Hall from Monday 15 July to Friday 19 July 1996.

SOCIAL SECURITY

Pensions

Mr. Denham: To ask the Secretary of State for Social Security by what date his Department will make available *(a)* to employers and *(b)* to occupation pension scheme administrators, definite details of the Contributions Agency's NIRS 2—national insurance recording system—information system. [23158]

Mr. Heald: The administration of the Contributions Agency is a matter for Mrs. Faith Boardman, the chief executive. She will write to the hon. Member.

Letter from George Bertram to Mr. John Denham, dated 4 April 1996:

As the Chief Executive of the Contributions Agency is away from the office on annual leave, I have responsibility for answering questions about operational matters relating to the Agency and the National Insurance (NI) scheme in her absence.

I have been asked to reply to your question regarding the availability of details of the Agency's NIRS2 Information system to employers and occupational pension scheme administrators.

The NIRS2 information system will replace the current National Insurance Recording System (NIRS) and will be designed to ensure that current burdens on employers and Occupational Pensions Schemes are decreased. The first details of the new system will appear in the information pack issued to Employers starting in February 1997.

Details of the contracted our arrangements from 6 April 1997 will be issued in draft shortly, with final guidance to be issued to Occupational Pension Schemes in the Autumn.

Thank you for giving me the opportunity to explain the position.

Industrial Injuries Benefit

Ms Walley: To ask the Secretary of State for Social Security (1) how many adjudicating medical decisions awarding industrial injuries disablement benefit have been made; and how many reviews of existing benefits have been instigated at the request of the Benefits Agency; [23765]

(2) how many applications for industrial injuries disablement benefit are outstanding; what is the waiting time for processing them; and what is the total value of the payments currently suspended, subject to review. [23766]

Mr. Roger Evans: The administration of industrial injuries disablement benefit is a matter for Peter Mathison, the chief executive of the Benefits Agency. He will reply to the hon. Member with such information as is available.

Letter from Ursula Brennan to Ms Joan Walley, dated 3 April 1996:

As Peter Mathison is on leave at present, the Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions asking how many adjudicating medical decisions awarding Industrial Injuries Disablement Benefit (IIDB) have been made; how many reviews of existing benefits have been instigated at the request of the Benefits Agency; how many applications for IIDB are outstanding; what is the waiting time for processing them; and what is the total value of the payments currently suspended, subject to review.

The number of adjudicating medical decisions in the period 1 March 1995 to 29 February 1996 was 24,467, the latest information available.

Information about the number of reviews of existing benefit instigated at the request of the Benefits Agency is not available and could be obtained only at disproportionate cost.

The number of claims outstanding at the end of February 1996, was 25,813. These were made up of 10,253 claims in respect of industrial accidents and 15,560 claims in respect of prescribed diseases.

Annex A gives details of the current claims clearance targets.

Information on the number of outstanding applications and the number of cases where payment is currently suspended subject to review is unavailable and could be obtained only at disproportionate cost.

I hope this reply is helpful.

Annex A

	Target set for 1995–96	*Target achieved 1 April 1995 to 29 February 1996*
Industrial Accidents	60 per cent. in 70 days	62.6 per cent. in 70 days
	90 per cent. in 150 days	92.4 per cent. in 150 days
Prescribed Diseases	63 per cent. in 100 days	73 per cent. in 100 days
	90 per cent. in 200 days	94.5 per cent. in 200 days

These figures are provisional and subject to change.

Severe Hardship Payments

Mr. Cohen: To ask the Secretary of State for Social Security what are the number of young people claiming severe hardship payments currently *(a)* nationally, *(b)* in London, *(c)* in Waltham Forest, *(d)* in Redbridge and *(e)* in Leyton. [24137]

Mr. Roger Evans: The administration of income support is a matter for Peter Mathison, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Ursula Brennan to Mr. Harry Cohen, dated 3 April 1996:

As Peter Mathison is on leave at present, the Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions asking what are the number of young people claiming severe hardship payments currently (a) nationally, (b) in London, (c) in Waltham Forest, (d) in Redbridge and (e) in Leyton.

The information is not available in the form requested. Statistics are not kept for specific geographical areas, but for Benefits Agency (BA) Districts.

The number of young people who claimed severe hardship in November 1995 nationally, England, Scotland and Wales, was 9977. The number claiming in the BA Districts which include the London postal area was 571. However this will include some claims from people living outside London, see Annex. The number claiming from Lea Roding District was 60. The Lea Roding District comprises of Ilford, Leytonstone and Walthamstow offices, which includes Waltham Forest, Redbridge and Leyton. These figures are provisional and may be subject to change.

I hope you find this reply helpful.

Annex

Bankside
Barnet*
City East
Ealing*
Euston
Hackney and Islington
Leaside
London Central
Neasden
Newham
North Surrey*
Palace
South Circular*
South West Thames
Thameside*

*The area covered by these Districts includes postal areas outside of London.

Asylum Seekers

Dr. Lynne Jones: To ask the Secretary of State for Social Security how many people *(a)* had social security benefits withdrawn and *(b)* were ruled ineligible for such benefits due to the changes in social security regulations for asylum seekers, in the first four weeks following implementation of the regulations. [24422]

Mr. Roger Evans: The information is not available in the format requested. In the four weeks beginning 4 March, the Benefits Agency was notified by the Home Office of 702 negative decisions on asylum status involving social security benefit claims.

Ms Glenda Jackson: To ask the Secretary of State for Social Security who will be responsible for the funding of free school meals to the children of asylum seekers who would hitherto have qualified for means-tested state benefits. [24977]

Mr. Evans: Free school meals remain available only to those pupils whose parents are in receipt of income support.

Private Finance Initiative

Mr. Cousins: To ask the Secretary of State for Social Security what were the *(a)* original and *(b)* revised target dates for the announcement of decisions on PFI deals for his Department's site changes in Tyne and Wear; and if he will give the reasons for the change in target dates. [23700]

Mr. Heald: The administration of the Contributions Agency is a matter for Mrs. Faith Boardman, the chief executive. She will write to the hon. Member.

Letter for George Bertram to Mr. Jim Cousins, dated 4 April 1996:

As the Chief Executive of the Contributions Agency is away from the office on annual leave, I have responsibility for answering questions about administration matters relating to the Agency in her absence.

I have been asked to reply to your question regarding the target dates for the announcement of decisions on PFI deals for Agency's site changes in Tyne and Wear.

The original date for making an announcement of the decision on the Newcastle Estate Development PFI was April 1996. The revised date for making an announcement is now June 1996.

The change in the target date is to allow the opportunity for clarification of parts of each company's Best and Final offer to be sought. In consultation with our advisors, central departments, the Private Finance Panel Executive and the bidders, the evaluation process has been adjourned. The Newcastle Estate project is a complex one with many facets which need to be addressed. As a pathfinder project within PFI it is breaking new ground and establishing guidelines for future projects.

I am confident that this additional information will enable the best decision to be made.

Money Purchase Pensions

Mr. Clapham: To ask the Secretary of State for Social Security what kind of pension guarantees a money purchase pension scheme offers the employee; and if he will make a statement. [24822]

Mr. Heald: Occupational money purchase pension schemes do not offer pension guarantees. Contributions to the scheme by employees and members are invested in a fund, the value of which is used either to provide a pension or to purchase an annuity from an insurance company on retirement. The rate of pension is therefore dependant on the level of contributions made, the

investment performance of the resulting fund and, where an annuity is purchased, the prevailing annuity rates at the time of retirement.

With money purchase schemes which are contracted out of the state earnings-related pension scheme, SERPS, employers must guarantee to make contributions which at least equal the value of the reduction in national insurance contributions that they and their employees enjoy.

Mr. Clapham: To ask the Secretary of State for Social Security what advice he has made available to employers and unions since 1988 about the quality of a good money purchase scheme; and what steps he has taken to ensure such schemes have a level of predictability. [24820]

Mr. Heald: The Department produced two guides in 1988, the year in which employers were first able to set up money purchase schemes contracted out of the state earnings-related pension scheme, SERPS. Both the NP41, "New Pension Choices for Employees" and the NP42, "New Pension Choices for Employers" explain how money purchase schemes work, the difference between contracted-out money purchase, COMP, and salary-related pension schemes, the factors which affect the eventual rate of pension payable and the legal requirements which employers have to satisfy to be able to establish such schemes.

From April 1997, the Government are introducing age-related rebates for COMP schemes. The rebates are designed to ensure that the value of the final pension reflects more closely the value of the benefit forgone by contracting out of SERPS.

Mr. Clapham: To ask the Secretary of State for Social Security what steps he is taking to ensure that older employees will not be disadvantaged if their employer switches from a salary scheme to a money purchase scheme; and if the measures will be retrospective to 1988. [24821]

Mr. Heald: Employers set up occupational pension schemes voluntarily and the decision to switch from one type of provision to another is a matter for them. Where an occupational scheme is contracted out of the state earnings-related pension scheme, SERPS, certain specific conditions have to be met if the nature of the provision is altered—the accrued rights of all members have to be secured, interested parties such as trades unions have to be consulted and members must be kept fully informed about the change. Scheme members in such situations should consider seeking independent financial advice on their pension position.

Mr. Clapham: To ask the Secretary of State for Social Security what is his estimate of the proportion of occupational pension schemes that are currently money purchase schemes; and what is the approximate number of employees covered by such schemes. [24819]

Mr. Heald: In 1991, the latest year for which data[1] are available, it is estimated that 71 per cent. of occupational pension schemes[2], covering around 900,000 members, were arranged on a money purchase basis[3].

The figures are based on information from both contracted-in and contracted-out occupational schemes.

Notes:

[1] 1991 survey on occupational pension schemes by the Government Actuary's Department.

[2] This figure should be treated with a degree of uncertainty due to the limitations of the sampling method for small occupational schemes.

[3] This figure includes hybrid schemes where the main benefits are defined by the accumulation of the contributions paid.

Industrial Deafness

Mr. Clapham: To ask the Secretary of State for Social Security what proportion of claimants awarded a five-year provisional disablement assessment for industrial deafness lose it after the initial five-year period; and what is the main reason given for discontinuing it. [24817]

Mr. Roger Evans: The information is not readily available in the format requested and could be provided only at disproportionate cost.

The number of all re-assessments in respect of occupational deafness, including those following the initial five-year assessment, and those re-assessed to less than 20 per cent. for the latest years available, is set out in the table. In the case of occupational deafness, entitlement to industrial injuries disablement benefit ceases if the percentage assessment of disability is less than 20 per cent.

Occupational deafness re-assessments

Period	*Number referred for re-assessment*	*Number re-assessed to less than 20 per cent.*
1990	1,192	126
1991	1,169	145
1992	1,098	182
1993	1,136	177
1994	896	122

Based on 100 per cent. count of cases.

Mr. Clapham: To ask the Secretary of State for Social Security what is his estimate of the proportion of occupational pension schemes that are currently money purchase schemes; and what is the approximate number of employees covered by such schemes. [24819]

Unemployment Benefit

Mr. Rooney: To ask the Secretary of State for Social Security if people who were claiming unemployment benefit before 7 October will still be covered by the current part-time earnings rules during their period on transitional protection. [24793]

Mr. Roger Evans: Yes.

Incapacity Benefit

Mr. Steinberg: To ask the Secretary of State for Social Security how many people who failed the incapacity benefit all-work test have had their benefit reinstated on appeal. [25136]

Mr. Burt: Up to the end of February 1996, 2,111 claimants who had been found capable of work following the all-work test had the decision reversed on appeal.

Pensions

Mr. Denham: To ask the Secretary of State for Social Security what regulations have been made under section 45(5) of the Social Security (Contributions and Benefits)

Act 1992 defining the years to be disregarded in calculating the earnings-related component of the retirement pension; what further regulations he plans to make; and what categories of persons are affected by them. [25312]

Mr. Heald: No regulations have been made under section 45(5) of the Social Security (Contributions and Benefits) Act 1992. We made it clear in the White Paper "Equality in State Pension Age" that the regulations would be made at the appropriate time.

Child Support Agency

Mr. Neil Hamilton: To ask the Secretary of State for Social Security if he will ensure that the relevant maintenance payments are made without any further delay to Mr. S. Sadler (CSA Reference PBU/JHR/1012755 177). [24302]

Mr. Andrew Mitchell: The Child Support Agency can pass on only payments of maintenance which have been made by an absent parent. The chief executive of the Child Support Agency, Miss Ann Chant, will write to the hon. Member separately detailing the enforcement action the agency has been taking and updating him on recent details of this case.

Mr. Flynn: To ask the Secretary of State for Social Security what new proposals he has to improve the Child Support Agency; and when he expects to present them to Parliament. [24837]

Mr. Mitchell: On 2 April, the Government published their response to the second report in the 1995–96 Session of the Social Security Committee and a report on a review of the good cause provisions of the Child Support Act 1995. These described a number of new measures which should improve aspects of the system.

In addition, I recently announced plans for the recruitment of an independent complaints examiner, improvements to the agency's compensation scheme and the introduction of interest payments on maintenance collected but not transferred promptly to the parent with care.

These measures build on major legislative changes introduced by the Child Support Act 1995. As the Government have consistently made clear, we keep all aspects of child support under close scrutiny and make changes whenever necessary.

Lone Parents

Mr. Dover: To ask the Secretary of State for Social Security what steps he is taking to help lone parents to work. [24840]

Mr. Andrew Mitchell: Successive improvements in family credit have been designed to assist lone parents to take work. The reduction in the qualifying hours to 16, the introduction of a maintenance disregard, the introduction of help with child care costs in family credit and the other in-work benefits are measures of particular importance to lone parents. Around 200,000 lone parents have moved from income support to family credit since 1992.

From this month, the child care disregard in the in-work benefits has been increased from £40 to £60 a week. Out-of-school child care provision will be extended by a further 18,000 places on top of the nearly 60,000 generated in the last three years. The back-to-work bonus and the child maintenance bonus will be introduced in October 1996 and April 1997 respectively. They will encourage part-time work and provide opportunities to build up a tax-free lump sum on leaving benefit for work. Also in April 1997, a major new pilot will commence, providing training and employment opportunities to up to 25,000 lone parents.

Housing Benefit

Mr. Frank Field: To ask the Secretary of State for Social Security how many landlords in the last available financial year received direct payments of housing benefit totalling *(a)* more than £500,000, *(b)* between £250,000 and £500,000 and *(c)* between £100,000 and £250,000. [25382]

Mr. Roger Evans: The information is not available centrally as housing benefit is administered by local authorities.

Mr. Field: To ask the Secretary of State for Social Security, pursuant to his answer of 22 February, *Official Report*, column *313*, if he will provide the figures on housing benefit in London 1994–95. [25381]

Mr. Evans: The information is set out in the tables.

Table 1: Average number of housing benefit recipients for London boroughs—1994–95

Local authority	*Recipients*
Barking and Dagenham	18,300
Barnet	19,900
Bexley	11,500
Brent	33,200
Bromley	16,000
Camden	33,200
City of London	1,300
Croydon	24,400
Ealing	26,800
Enfield	17,900
Greenwich	26,900
Hackney	40,300
Hammersmith and Fulham	23,100
Haringey	39,600
Harrow	10,900
Havering	11,700
Hillingdon	15,300
Hounslow	17,900
Islington	33,100
Kensington and Chelsea	18,200
Kingston upon Thames	7,500
Lambeth	47,400
Lewisham	35,700
Merton	12,300
Newham	37,400
Redbridge	12,900
Richmond upon Thames	9,700
Southwark	42,900
Sutton	10,200
Tower Hamlets	33,000

Table 1: Average number of housing benefit recipients for London boroughs—1994–95

Local authority	*Recipients*
Waltham Forest	22,900
Wandsworth	30,500
Westminster	25,000

Note:

Figures given are an average of four quarters each year.

Source:

Housing benefit management information system—100 per cent. quarterly counts.

Table 2: Housing benefit expenditure in London boroughs

£ millions

Local authority	*1994–95*
Barking and Dagenham	36.1
Barnet	66.3
Bexley	31.3
Brent	117.0
Bromley	47.4
Camden	113.1
City of London	3.5
Croydon	82.5
Ealing	100.8
Enfield	63.7
Greenwich	74.8
Hackney	146.0
Hammersmith and Fulham	74.9
Haringey	142.3
Harrow	40.8
Havering	27.2
Hillingdon	50.0
Hounslow	50.9
Islington	103.1
Kensington and Chelsea	71.1
Kingston upon Thames	24.8
Lambeth	126.3
Lewisham	91.9
Merton	37.2
Newham	122.3
Redbridge	52.4
Richmond upon Thames	28.3
Southwark	117.4
Sutton	27.5
Tower Hamlets	74.3
Waltham Forest	66.6
Wandsworth	100.8
Westminster	124.0

Source:

Department of the Environment.

DSS planning and finance division.

Note:

Not all of the figures given are final audited figures and may be subject to change.

Compliance Cost Assessments

Ms Ruddock: To ask the Secretary of State for Social Security how many compliance cost assessments were produced by his Department in 1995; and if he will place copies in the Library. [25271]

Mr. Roger Evans: In 1995, this Department produced 15 compliance cost assessments, copies of which are in the Library.

WALES

Drugs (Juveniles)

Mr. Llwyd: To ask the Secretary of State for Wales (1) what budget was allocated by his Department for juvenile drug prevention education in 1994–95; and if he will make a statement; [24609]

(2) what initiatives his Department is taking to combat juvenile drug abuse in the current year; and if he will make a statement; [24611]

(3) what funds his Department is forecast to have allocated in 1995–96 for juvenile drug prevention education; and if he will make a statement. [25017]

Mr. Richards: Activity to combat drug misuse in Wales is undertaken by a variety of organisations, from both the statutory and voluntary sectors. Many of these are funded wholly or partly by the Welsh Office. It is not possible to identify separately either the amounts of expenditure or the activity which is specifically targeted at juvenile drug misuse. The new Welsh drug and alcohol strategy, which will be published soon, set out a comprehensive framework for tackling drug and alcohol misuse.

Listed Buildings

Mr. Llwyd: To ask the Secretary of State for Wales how many buildings which are listed as being of historical importance are currently being renovated in *(a)* Gwynedd, *(b)* Clwyd and *(c)* Wales; and if he will make a statement. [24605]

Mr. Gwilym Jones: Under the Historic Buildings and Ancient Monuments Act 1953 and the Planning (Listed Buildings and Conservation Areas) Act 1990, the Department gives grant for the repair of buildings of outstanding historic or architectural interest and for works which enhance conservation areas. The number of buildings currently being assisted under these provisions is:

Gwynedd: 51

Clwyd: 69

Wales: 353

The heritage lottery fund is currently contributing towards the cost of repairing 22 historic buildings in Wales, one each in Clwyd and Gwynedd.

Local authorities are empowered to grant aid historic buildings but information on this assistance is not held centrally, nor is information on buildings of historical importance which are being renovated without grant aid.

Schools (Grant-maintained Status)

Mr. Llwyd: To ask the Secretary of State for Wales how many schools in Wales applied for grant-maintained status in *(a)* 1994 and *(b)* 1995; and if he will make a statement. [24607]

Mr. Richards: None and one, respectively.

Mr. Win Griffiths: To ask the Secretary of State for Wales what is *(a)* the standard admission number of each grant-maintained school and *(b)* the number of pupils which each of these schools plans to admit in September 1996. [25166]

Mr. Richards: The grant-maintained equivalent of the standard number in LEA schools is the approved admission number. This is set when a school is approved for grant-maintained status. The details are as follows:

School	*Approved admissions number*
Our Lady and St. Michael's RC Primary, Abergavenny	39
Ysgol Caergeiliog, Ynys Môn	21
Derwen Primary, Higher Kinnerton	30
Ysgol Pen-y-Bryn, Colwyn Bay	34
Ysgol Gynradd Llanerfyl, Welshpool	8
St. Cyres Comprehensive School, Penarth	270
Mary Immaculate RC High School, Cardiff	150
Stanwell Comprehensive School, Penarth	182
Ysgol Bryn Elian, Colwyn Bay	161
Eirias High School, Colwyn Bay	200
Ysgol Emrys ap Iwan, Abergele	220
St. Alban's RC Comprehensive School, Pontypool	116
Cwmcarn GM School, Cwmcarn	133
Brynmawr GM School, Brynmawr	127
Bishop Vaughan Catholic Comprehensive School, Swansea.	185
The Maelor School, Wrexham	92

Information on the number of pupils that each school plans to admit in September 1996 is not available centrally.

Departmental Publicity Campaigns

Mr. Llwyd: To ask the Secretary of State for Wales what was the total expenditure on publicity campaigns commissioned by his Department from 1 April 1995 to 1 March 1996; what was *(a)* the purpose and *(b)* the cost of each publicity campaign; and if he will make a statement. [24610]

Mr. Hague: Forecast outturn for overall publicity expenditure in 1995–96 is £1.7 million, made up of many individual publicity projects, details of which can be produced only at disproportionate cost. However, two areas of significant publicity expenditure were:

	£
Promotion of Business Connect	187,000
Placing of public notices relating to trunk road and special road schemes	258,000

Snowdonia Mountain Rescue Services

Mr. Llwyd: To ask the Secretary of State for Wales how many times Snowdonia mountain rescue services were called into action in 1995; and if he will make a statement. [24606]

Mr. Gwilym Jones: This information is not held by the Welsh Office.

School Buildings (Repair and Maintenance)

Mr. Llwyd: To ask the Secretary of State for Wales what amount was spent on repair and maintenance of school buildings *(a)* by each local education authority in Wales and *(b)* in Wales as a whole for each financial year since 1990; and if he will make a statement. [24616]

Mr. Richards: The information requested is given in the following table. Figures for 1995–96 are not yet available.

Gross current expenditure on repair and maintenance of local authority school buildings, fixed plant and grounds, at cash prices[1]

£ million

	1990–91	*1991–92*	*1992–93*	*1993–94*	*1994–95*
Clwyd	3.3	3.7	3.7	4.8	5.6
Dyfed	3.9	3.5	4.3	3.5	3.1
Gwent	4.9	5.5	6.4	6.5	7.0
Gwynedd	2.5	2.5	2.5	2.9	2.9
Mid Glamorgan	10.3	12.5	11.5	11.6	9.9
Powys	1.5	1.9	2.1	0.8	0.7
South Glamorgan	4.4	4.7	5.5	5.7	5.0
West Glamorgan	6.4	6.6	5.9	5.5	7.1
Wales	37.0	40.9	42.0	41.4	41.4

Note:

[1] Excludes all capital expenditure. Excludes grant-maintained schools. Includes salaries of building maintenance workers and groundsmen, cost of materials, contract charges, including those relating to compulsory competitive tendering arrangements, recharges by external agencies, charges from direct service organisations, architects, engineers and surveyors and expenditure on energy conservation and on health and safety. Excludes salaries of caretakers, cleaners, etc.

Source:

Local authority returns.

Housing and Care Report

Mr. Dafis: To ask the Secretary of State for Wales what assessment he has made of the report on "Crossing the Housing and Care Divide" by the Housing Corporation; if he will make it his policy to assist the elderly to remain in their own homes; and if he will make a statement. [24540]

Mr. Gwilym Jones: The Government's community care policy recognises that people should be helped to continue to live in their existing housing where this is their preference and it is practicable and cost-effective for them to do so. Bringing together housing and social services within the new unitary authorities provides good opportunities for close working.

The Welsh Office already provides considerable help to older people through its support of home renovation grants, minor works grants, disabled facilities grants and care and repair agencies. We shall continue to provide such support under new measures in the Housing Grants, Construction and Regeneration Bill.

British Coal Enterprise

Mr. Donald Anderson: To ask the Secretary of State for Wales if he will make a statement on the effects on the terms of loans to small enterprises in Wales of the privatisation of British Coal Enterprise. [25004]

Mr. Gwilym Jones: Existing loans made by British Coal Enterprise will be transferred to the new owners of the business funding activity as part of the sales process; their terms will not be affected by the sale. The terms of any new loans negotiated after the sale is concluded will be a matter for the parties to the loan.

Rural White Paper

Ms Ruddock: To ask the Secretary of State for Wales what procedures have been put in place by his Department to monitor the environmental impacts arising from the implementation of "A Working Countryside for Wales: Wales Rural White Paper". [25294]

Mr. Gwilym Jones: The cross-department team being set up to oversee the implementation of the White Paper will consider economic, social and environmental issues. It will include representatives of the Welsh Office environment division and the Countryside Council for Wales.

Ms Ruddock: To ask the Secretary of State for Wales (1) what alternative courses of action from those detailed in "A Working Countryside for Wales: Wales Rural White Paper" were considered in the environmental appraisal undertaken by his Department; [25292]

(2) what environmental appraisal using the guidance contained in "Policy Appraisal and the Environment" produced by the Department of the Environment "A Working Countryside for Wales: Wales Rural White Paper" has been subject to; and if he will publish the appraisal; [25291]

(3) how "A Working Countryside for Wales: Wales Rural White Paper" was modified by the results of an environmental appraisal undertaken by his Department. [25293]

Mr. Jones: The White Paper represents a review of the full range of the Welsh Office's responsibilities which affect rural Wales. It was prepared in the light of the Government's policy of supporting sustainable development and protecting and conserving the environment, and is not itself susceptible to environmental appraisal, I am confident that the policies it sets out will separately and together improve the environment in rural Wales.

NORTHERN IRELAND

Small Businesses (Subsidised Loans)

Mr. Illsley: To ask the Secretary of State for Northern Ireland on what projects the £29 million subsidised loan scheme for small businesses from the EU special support programme for peace and reconciliation will be spent. [24527]

Mr. Ancram: The interest relief subsidy scheme under the EU special support programme for peace and reconciliation is designed to encourage productive investment in industry, related services and tourism. As the scheme has only recently been launched and will be open to applications until 28 February 1997, it is not possible to indicate which projects will benefit.

Fair Employment

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland for what reasons the Standing Advisory Commission on Human Rights was commissioned to review the Fair Employment (Northern Ireland) Act 1989; what research reports SACHR has commissioned; how much he expects the review to cost; and when SACHR's report is due to be published. [24529]

Sir Patrick Mayhew: An undertaking was given to this House that there would be a full review of the Fair Employment (Northern Ireland) Act 1989 after it had been operated for five years. In November 1994, I invited SACHR to assume responsibility for the review. Research projects commissioned by SACHR are as follows:

(i) Vacancies, access to employment and long-term unemployment: three case studies.

(ii) Specialist experience of FE legislation, the FEC and the FET: the experience of the Equality Forum.

(iii) A review of the impact of TSN on public expenditure patterns and policy making in Northern Ireland.

(iv) A review of the implementation and potential of PAFT.

(v) A review of local councils' economic development activities.

(vi) Long-term unemployment and the Community Work Programme in West Belfast.

(vii) The impact of public sector job losses on employment equality.

(viii) Public Attitudes to Fair Employment Issues; the Northern Ireland Social Attitudes Survey.

(ix) Complainants' experiences of, and attitudes towards, FE legislation, the FEC and the FET.

(x) A review of selected aspects of educational and training policy in Northern Ireland.

(xi) The FEC as a regulatory and enforcement agency, Dr. Hilary Metcalf, Policy Studies Institute.

(xii) A comparative review of 'fair employment'/equality of opportunity statutes and caselaw, affirmative action measures permitted adopted, in other jurisdictions, drawing comparisons with, and conclusions for, fair employment in Northern Ireland.

(xiii) A Review of practice and procedure in the FET.

(xiv) A critical review of the concept of 'fair participation'.

(xv) A review of 'the Merit Principle'.

(xvi) A paper reviewing FET case law.

(xvii) To provide a critical response to the papers produced by projects 11, 12, 13, 14, 15, 16 ('the legal group') together with an overview of the issues raised by all of them.

(xviii) Change and continuity in the views of NI Political Parties and non-party organisation on employment equality issues and Fair Employment Legislation.

(xix) Employers' experiences of, and attitudes towards, FE legislation, the FEC and the FET.

The cost of the review is as follows: 1995–96—£422,000; 1996–97—£248,000.

Mr. Trimble: To ask the Secretary of State for Northern Ireland how many directions have been given under section 6 of the Fair Employment (Northern Ireland) Act 1989. [25237]

Mr. Ancram: A total of 344 directions were given between 1 January 1992 and 31 December 1995.

Roman Catholic Men (Employment)

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many Roman Catholic men are of economically active age in Northern Ireland. [24530]

Sir John Wheeler: The 1991 census of population provides the most recent information on the total population of Northern Ireland by age, religion and economic activity. The number of Roman Catholic men recorded in the census as being of economically active age—16 to 64—was 175,283.

Mr. Taylor: To ask the Secretary of State for Northern Ireland what percentage of men in Northern Ireland of economically active age are Roman Catholic. [24531]

Sir John Wheeler: The 1991 census of population provides the most recent information on the total population of Northern Ireland by age, religion and economic activity. The percentage of men in Northern Ireland of economically active age—16 to 64—recorded in the census as Roman Catholic was 36.5 per cent.

Mr. Taylor: To ask the Secretary of State for Northern Ireland how many Roman Catholic men in Northern Ireland are in employment. [24532]

Sir John Wheeler: The 1991 census of population provides the most recent information on the total population of Northern Ireland by age, religion and economic activity. The number of Roman Catholic men in Northern Ireland recorded in the census as in employment was 100,584.

Mr. Taylor: To ask the Secretary of State for Northern Ireland what proportion of the men in employment in Northern Ireland are Roman Catholic. [24533]

Sir John Wheeler: The 1991 census of population provides the most recent information on the total population of Northern Ireland by age, religion and economic activity. The proportion of men in employment in Northern Ireland recorded in the census as Roman Catholic was 31.2 per cent.

Mr. Taylor: To ask the Secretary of State for Northern Ireland how many Roman Catholic men are employed by *(a)* the Royal Ulster Constabulary and *(b)* the Army. [24534]

Sir John Wheeler: The numbers of men serving in the Royal Ulster Constabulary at 1 April 1996 who are perceived to be from the Roman Catholic community are:

	Number
Regulars	602
Full-time reserve	187
Part-time reserve	39
Total	828

Information relating to employment by the Army is a matter for my right hon. Friend the Secretary of State for Defence.

Mr. Taylor: To ask the Secretary of State for Northern Ireland what proportion of the men employed by *(a)* the Royal Ulster Constaulary and *(b)* the Army are Roman Catholic. [24535]

Sir John Wheeler: The proportion of men serving in the Royal Ulster Constabulary at 1 April 1996 who are perceived to be from the Roman Catholic community is:

	Percentage
Regulars	8.0
Full-time reserve	6.4
Part-time reserve	3.9
Total	7.2

Mr. Taylor: To ask the Secretary of State for Northern Ireland how many Roman Catholic men would be employed in *(a)* the Royal Ulster Constabulary and *(b)* the Army if the number employed were in proportion to the percentage of men of economically active age in Northern Ireland who are Roman Catholic. [24536]

Sir John Wheeler: If the number of Roman Catholic men in the RUC were similar to the percentage of Roman Catholic men who are economically active—36.5 per cent.—there would be approximately 2,751 Roman Catholic men in the regulars and 1,067 in the full-time reserve.

Information relating to the Army is a matter for my right hon. Friend the Secretary of State for Defence.

Mr. Taylor: To ask the Secretary of State for Northern Ireland how many fewer Roman Catholic men are employed in Northern Ireland than would be the case if the number employed were in exact proportion to the percentage of men of economically active age in Northern Ireland who are Roman Catholic. [24537]

Sir John Wheeler: The 1991 census of population provides the most recent information on the total population of Northern Ireland by age, religion and economic activity. The number of Roman Catholic men of economically active age in employment in Northern Ireland was 100,584. This is 17,054 fewer than if the number employed were in exact proportion to the percentage of men of economically active age in Northern Ireland recorded as Roman Catholic.

Fair Employment Tribunal

Mr. Trimble: To ask the Secretary of State for Northern Ireland how many cases brought by individuals have been dismissed by the fair employment tribunal since January 1990. [25234]

Mr. Ancram: A total of 159 complaints brought by individuals have been dismissed by the fair employment tribunal during the period 1 January 1990 to 31 March 1996.

Mr. Trimble: To ask the Secretary of State for Northern Ireland how many of the cases heard by the fair employment tribunal were *(a)* individual cases of alleged discrimination, *(b)* appeals by employers to the tribunal and *(c)* applications by the commission for enforcement of undertakings. [25231]

Mr. Ancram: The fair employment tribunal heard 207 complaints between 1 January 1990 and 31 March 1996. All involved individual complaints of alleged discrimination and there were no appeals by employers to the tribunal or application by the commission for enforcement of undertakings.

Mr. Trimble: To ask the Secretary of State for Northern Ireland how many cases before the fair employment tribunal have been settled; and of these cases how many were settled on terms endorsed on counsel's brief since January 1990. [25233]

Mr. Ancram: During the period 1 January 1990 to 31 March 1996, 50 complaints were conciliated by the Labour Relations Agency and 1,122 complaints were withdrawn. It is not known how many of these complaints were settled on terms endorsed on counsel's brief.

Gas Licences

Mr. Hume: To ask the Secretary of State for Northern Ireland if he will make a statement on terms of licences being prepared by the Department for Economic Development for gas network development and supply of gas over that network indicting *(a)* what towns or districts are (i) to be included and (ii) to receive priority, *(b)* what measures are being taken not to prejudice network development and supply to a wider area and *(c)* what measures are being taken to promote network development and gas supply to the north-west; and what measures will be taken to encourage competition through the natural gas supply network on the same basis as in Great Britain. [24869]

Mr. Ancram: Premier Energy Suppliers Ltd. has sought a licence for the development of a natural gas industry in an area comprising Belfast, Lisburn, Newtownabbey, Carrickfergus, Larne, Holywood, Newtownards and Bangor and the Department has entered into discussions on the terms of such a licence. The roll-out of the new gas industry would be based on a development plan which has yet to be agreed.

The licence would provide for third party access to the main transmission pipeline and gas could be taken through the licensed area to other areas.

The introduction of natural gas to the north-west, or any other area of Northern Ireland, would be undertaken by the private sector on the basis of commercial viability.

The Department's objective is the introduction of competition in gas supply at the earliest possible stage. Periods of exclusivity may, however, be required given the very significant commercial risks associated with the development of a new gas industry.

Industrial Tribunals

Mr. Trimble: To ask the Secretary of State for Northern Ireland how many cases before industrial tribunals in Northern Ireland were settled since January 1990; and of these how many cases were settled on terms endorsed on counsel's brief. [24991]

Mr. Ancram: During the period 1 January 1990 to 31 March 1996, a total of 4,419 complaints to industrial tribunals were conciliated by the Labour Relations Agency and 8,839 complaints were withdrawn. It is not known how many of these complaints were settled on terms endorsed on counsel's brief.

Peace Process

Mr. Trimble: To ask the Secretary of State for Northern Ireland if he will estimate the cost of the peace process broken down into costs of travel, accommodation, printing and ministerial and civil service time. [25259]

Mr. Ancram: It is not possible to provide the detailed information in the form requested.

Mr. Sykes: To ask the Secretary of State for Northern Ireland what progress has been made in preparation for elections leading to all-party negotiations on 10 June. [25543]

Sir Patrick Mayhew: I have today published the draft of a Northern Ireland (Entry into Negotiations, Etc.) Bill, to be introduced in the House tomorrow. In parallel, following consultations with the political parties on the proposals in the consultation paper of 15 March, I have published as Command Paper 3232 the best judgment of the British and Irish Governments on the most suitable and broadly acceptable ground rules for the negotiations starting on 10 June 1996.

TRANSPORT

Drivers' Hours (Cumbria)

Mr. Allen: To ask the Secretary of State for Transport for what reasons EU drivers' hours regulations now apply to some bus services in Cumbria hitherto governed by United Kingdom drivers' hours regulations. [23341]

Mr. Norris: UK rules apply to services less than 50 km long; the EU drivers' hours rules apply to regular services longer than 50 km using vehicles with 18 or more seats.

Oil Pollution (Sea Empress Incident)

Ms Walley: To ask the Secretary of State for Transport (1) what have been the total costs incurred to date by the marine pollution control unit in clean-up operations following the Sea Empress incident; and what has been the cost of *(a)* the charter of oil skimming and recovery vessels, *(b)* the hire of road tankers for collected oil, *(c)* aerial spraying operations, *(d)* beach cleaning operations and *(e)* other related activities; [23287]

(2) what estimate he has made of the likely final total costs to be incurred by the marine pollution control unit in all clean-up operations and related activities following the Sea Empress incident. [23288]

Mr. Norris: I have asked the chief executive of the Coastguard agency to write to the hon. Member.

Letter from C. J. Harris to Ms Joan Walley, dated 16 April 1996:

The Secretary of State for Transport has asked me to reply to your recent Questions about MPCU costs following the Sea Empress incident.

PQ 127C

The final cost of the operation is estimated to be between £7m and £9m. To date the MPCU have received invoices totalling just over £3m.

PQ 137C

(a) The charter of oil skimming and recovery vessels invoiced to date, including manpower and the hire of equipment, is £1,140,040. There are still a number of invoices for vessel charter outstanding.

(b) The hire of road tankers for collected oil was organised through the local oil industry and local authority roads and highways departments. Information on these costs is not currently available.

(c) Aerial spraying and surveillance costs amount to £387,796 for aircraft and £317,796 for mobilising and transporting dispersant and for purchasing replacement dispersant.

(d) Beach cleaning operations are still ongoing in a number of locations. To date the MPCU has been invoiced for £1,094,356.

(e) Scientific support costs, car hire, overtime, travel and subsistence and minor miscellaneous items amount to £67,429.

EDS Software

Mr. Redmond: To ask the Secretary of State for Transport what assessment he has made of the savings to date to his Department and his Department's agencies from out-sourcing arrangements made with the EDS software computer system; what assessment he has made of the equivalent costs of carrying out this work in-house; and if he will make a statement. [24361]

Mr. Norris: At the time the contracts were awarded, the Department of Transport forecast that it would make savings of at least 25 per cent. The savings realised have been in line with this forecast.

Shipping Companies (Assistance)

Mr. Allen: To ask the Secretary of State for Transport if he will list the shipping companies which have received assistance under *(a)* the Government assistance for training scheme and *(b)* the development of certificated sectors scheme in the past 12 months; and if he will provide a breakdown of the level of the assistance given to each company. [24476]

Mr. Norris: I have asked the chief executive of the Marine Safety Agency to write to the hon. Member.

Letter from R. M. Bradley to Mr. Graham Allen, dated 16 April 1996:

The Secretary of State for Transport has asked me to reply to your Question about the amount of assistance received by shipping companies under the Government Assistance for Training (GAFT) and Development of Certificated Seafarers (DOCS) Schemes in the last 12 months, as the responsibility of administering the schemes lies with the Marine Safety Agency (MSA).

May I first explain that assistance under the GAFT scheme, currently £55 per week, is not payable to shipping companies but to eligible trainees via "Managing Agents". The total assistance paid in the last 12 months amounted to £3.22 million of which £151,360 was paid to Managing Agents to cover administrative costs, at the rate of £110 per annum for each trainee.

As regards DOCS, financial assistance is paid to eligible companies against the cost of each junior officer undergoing training for a second certificate of competency. The grant of £16 per training day for each trainee, amounted to £1,518,436 in the last 12 months. A breakdown of payments to companies is attached at Annex A.

Annex A: Developments of Certificated Seafarers Scheme. Payments made from 1 April 1996 to 31 March 1996

Company	*Payments £*
ARC Marine Ltd.	17,984
Bibby International Services (IOM) Ltd.	26,736
Boston Putford Offshore Safety	20,304
BP Shipping Ltd.	265,856
Cable and Wireless Marine Ltd.	17,232
Cunard Line Ltd.	30,432
Delta Marine Personnel Services Ltd.	6,896
Denholm Ship Management (IOM) Ltd.	34,128
F T Everard and Sons Ltd.	18,128
James Fisher and Sons (Liverpool) Ltd.	55,296
James Fisher and Sons Plc	2,864
London and Overseas Freighters (UK) Ltd.	33,856
Lowline Ltd.	27,024
Mobil Shipping Co Ltd.	48,768
Northern Marine Management Ltd.	48,112
Oil Ltd.	43,360
P&O Containers Ltd.	171,136
P&O Cruises Ltd.	73,872
P&O Tankships Ltd.	12,800
Petroleum Shipping Ltd.	45,280
R Lapthorn and Co Ltd.	3,728
Ropner Shipping Services Ltd.	11,988
Shell Marine Personnel (IOM) Ltd.	332,640
Souter Shipping Ltd.	22,752
South Coast Shipping Ltd.	13,184
Star Offshore Services Marine Ltd.	1,328
Stena Line Ltd.	32,736
Stirling Ship Management Ltd.	8,400

Annex A: Developments of Certificated Seafarers Scheme. Payments made from 1 April 1996 to 31 March 1996

Company	*Payments £*
Texaco Overseas Tankship Ltd.	176
The Maersk Company (IOM) Ltd.	91,440
Total	1,518,436

Newbury Bypass

Mr. Gapes: To ask the Secretary of State for Transport if he will identify the climbing company contracted to clear tree-bound protestors from the route of the Newbury bypass; and what are the forecast payments to this company. [24792]

Mr. Watts: I have asked the chief executive of the Highways Agency to write to the hon. Member.

Letter from Lawrie Haynes to Mr. Mike Gapes, dated 16 April 1996:

The Secretary of State for Transport has asked me to reply to your recent question about the climbing company contracted to clear tree bound protestors from the route of the Newbury Bypass and the forecast costs of the work.

I understand from the Deputy Sheriff of the Royal County of Berkshire that he has used expert climbers from two companies: Nathan & Company (Sheriffs Officers) Ltd and Richard Turner Ltd.

We expect the cost to be around £600,000 in total.

Rail Privatisation

Ms Short: To ask the Secretary of State for Transport on what occasions he has held discussions with the franchising director about the timing of the franchising programmes; and if he will make a statement. [24765]

Mr. Watts: My right hon. Friend the Secretary of State meets regularly with the franchising director to discuss franchising issues including the timing of the franchising programme. He last met the franchising director on 26 March.

The franchising programme is gaining momentum. Five franchises have been awarded: South West Trains, Great Western, InterCity East Coast, Gatwick Express and Network SouthCentral. The franchising director is in the final stages of negotiating franchise awards for Midland Main Line. LTS Rail has been re-tendered and the franchising director will award the franchise as soon as practicable. Initial bids were received for Chiltern and South Eastern on 22 March. Initial bids were invited for South Wales and West and Cardiff on 27 March and are to be received by 6 June. The franchising director will issue invitations to tender for Anglia and Thames as soon as practicable. Further franchises are being developed and progress will be announced by the franchising director in due course.

Ms Short: To ask the Secretary of State for Transport when he plans to take a decision on the proportion of Railtrack to be sold in the forthcoming flotation; and if he will make a statement. [25436]

Mr. Watts: We intend a sale of substantially all of the Government's shares in Railtrack, subject to reserving shares to satisfy share bonus entitlements.

Railtrack (Asset Maintenance)

Ms Short: To ask the Secretary of State for Transport if he will list studies commissioned by his Department into the costs of maintenance of Railtrack's assets over the next 10 years; and if he will indicate their conclusions. [24767]

Mr. Watts: My Department has not commissioned any such studies.

Railtrack (Track Access Performance)

Ms Short: To ask the Secretary of State for Transport how much compensation has been paid by train operating companies to passengers for delays attributable to Railtrack since introduction of the track access performance monitoring regime. [24550]

Mr. Watts: The track access performance regime sets out compensation arrangements between Railtrack and train operators. It is not concerned with payments to passengers for late trains, which are made under operators' passenger charters.

Ms Short: To ask the Secretary of State for Transport when the track access performance monitoring regime for Railtrack was introduced; and if he will make a statement. [24568]

Mr. Watts: Live running of the track access performance regime started on 10 December 1995.

Ms Short: To ask the Secretary of State for Transport what amount in supplementary track access charges has been paid by train operating companies and freight operating companies to cover the cost of compensation under the track access performance monitoring regime. [24551]

Mr. Watts: In 1995–96, passenger TOCs paid to Railtrack a supplementary access charge of £75 million. This charge was agreed between BR and Railtrack following a consultation exercise by the Rail Regulator.

Ms Short: To ask the Secretary of State for Transport how much compensation has been paid to train operating companies and freight operating companies by Railtrack under the track access performance monitoring regime since its inception. [24549]

Mr. Watts: This is a commercial matter between Railtrack and the companies concerned.

Tolls (Disabled People)

Mr. Corbett: To ask the Secretary of State for Transport what arrangements he has made for motorists who are registered as disabled in contracts for the operation of roads and bridges where tolls are charged. [24796]

Mr. Watts: All the Acts under which Government have agreed concessions for the operation of tolled roads and bridges require exemptions from tolls for the disabled.

Helicopter Search and Rescue Services

Mr. Viggers: To ask the Secretary of State for Transport how many sorties have been flown in the last year by the Coastguard helicopter based at Lee-on-Solent. [24572]

Mr. Norris: I have asked the chief executive of the Coastguard agency to write to my hon. Friend.

Letter from C. J. Harris to Mr. Peter Viggers, dated 16 April 1996:

The Secretary of State for Transport has asked me to reply to your recent Question about the number of sorties flown by the Coastguard helicopter at Lee-on-Solent.

During 1995 the Coastguard helicopter based at Lee-on-Solent was tasked on 258 occasions. Since 1 January 1996 up to and including 31 March 1996 the aircraft has been tasked on 31 occasions.

Road Contracts

Mr. Allen: To ask the Secretary of State for Transport if he will list the design, build, finance and operate road contracts he expects to have let by April 1997, indicating for each the construction, non-maintenance projects he expects to have begun within these contracts by April 1997. [24775]

Mr. Watts: To date, four design, build, finance and operate projects have been let to the private sector:

A69 Carlisle to Newcastle DBFO Project, which includes the A69 Haltwhistle bypass scheme;

M1–A1 Yorkshire link DBFO project, which includes the M1–A1 link road: Lofthouse to Bramham scheme;

A1(M) Alconbury to Peterborough DBFO project, which includes the A1(M) Alconbury to Peterborough improvement scheme;

A419/A417 Swindon to Gloucester DBFO project, which includes the A419–A417 Cirencester and Stratton bypass scheme, A417 north of Stratton to Nettleton improvement scheme and A419 Latton bypass scheme.

Construction on these six schemes within the four DBFO projects will start in the 1996–97 construction season.

A further four DBFO projects remain on course to be let by the late spring. Contracts for these projects are currently being negotiated with private companies. It is reasonable to expect that construction of the schemes encompassed by these four projects will have begun by April 1997, assuming that negotiations deliver bids which are good value for money. These projects are:

A168–A19 Dishforth to Tyne tunnel DBFO project, which includes the A19 Norton to Parkway interchange improvement scheme;

A30–A35 Exeter to Bere Regis DBFO Project, which includes the A30 Honiton to Exeter improvement scheme and A25 Tolpuddle to Puddletown bypass scheme;

A50–A564 Stoke to Derby link DBFO project, which includes the A564 Doveridge bypass scheme;

M40 Junctions 1 to 15 DBFO project, which includes the M40 junction 1A to 3 widening scheme.

Derailment (Wakefield)

Ms Short: To ask the Secretary of State for Transport if he will make a statement on the derailment of a goods train on 9 March at Healey Mills yard, Wakefield. [24769]

Mr. Watts: On Saturday 9 March 1996, three wagons of a goods train were derailed in the marshalling yard at Healey Mills near Wakefield. At the time of the derailment the train was moving very slowly. There was no danger to other trains and no one was injured.

Broken and Cracked Rails

Ms Short: To ask the Secretary of State for Transport what recent changes have occurred in procedures for dealing with broken and cracked rails identified by the ultrasonic test train. [24766]

Mr. Watts: I am informed by Railtrack that there have been no recent changes in procedures for dealing with broken and cracked rails.

British Transport Police

Ms Short: To ask the Secretary of State for Transport if franchise agreements for rail operations will stipulate *(a)* the mandatory use of the British Transport police and *(b)* an obligation for operators to contribute to the costs of this service. [24764]

Mr. Watts: The British Transport police will continue, as a unified public force, to be responsible for policing Britain's rail network. Police services will be provided to all licensed railway operators, who will be obliged, through licence conditions, to enter into agreements with the British Transport police to use and pay for all law and order functions that require the use of professional police resources.

Railways (Passenger Complaints)

Ms Short: To ask the Secretary of State for Transport what is the average cost of dealing with a passenger complaint under the current railway system; and what was the equivalent cost *(a)* one, *(b)* two and *(c)* three years ago. [24547]

Mr. Watts: Figures on the average cost of answering customer complaints about railway services are not held centrally and could be obtained only at disproportionate cost.

Derailments (Rugby)

Ms Short: To ask the Secretary of State for Transport how many freight train derailments have taken place in Rugby during the last 12 months. [24768]

Mr. Watts: One freight train derailment at Rugby has been reported to the Health and Safety Executive's railway inspectorate during the last 12 months.

Railcard Information

Ms Short: To ask the Secretary of State for Transport what safeguards are in place to ensure that information about railcard holders and railcard promotional schemes is not used by train operating companies that run bus and coach services to target and undercut other train operating companies' services with bus and coach services. [25439]

Mr. Watts: Arrangements between train operating companies prohibit the information on railcard databases being used in connection with the development of any product operating as an alternative to the railcard.

Ms Short: To ask the Secretary of State for Transport what information is available to privatised train operating companies regarding the personal details of railcard holders. [25435]

Mr. Watts: The inter-operator agreements governing the railcards provide for all operators to have access to any information held on a railcard database. Information held on railcard databases is protected under the Data Protection Act 1984.

Railway Accident (Aisgill)

Ms Short: To ask the Secretary of State for Transport when the inquest will take place into the fatal railway accident at Aisgill on 31 January 1995. [25438]

Mr. Watts: An inquest into the railway accident at Aisgill is due to be held by the coroner for the Carlisle area assisted by an inspecting officer of railways. Setting a date for the inquest is a matter for the coroner. The inspector's report, under section 8 of the Regulation of Railways Act 1871, will be made public.

Railtrack (Safety Offences)

Ms Short: To ask the Secretary of State for Transport how many *(a)* improvements notices and *(b)* prosecutions have been initiated by the Health and Safety Executive against Railtrack since 1 April 1994. [25437]

Mr. Watts: Since 1 April 1994, the Health and Safety Executive has initiated 18 improvement notices and one prosecution against Railtrack.

Crash Barriers

Mr. Nicholls: To ask the Secretary of State for Transport if he will list the places where crash cushions have been installed in the last 12 months. [25419]

Mr. Watts: No crash cushions have been installed on the trunk road network in the last 12 months. Information on roads which are the responsibility of other highways authorities is not comprehensively available.

Rail Services (Disabled Access)

Mr. Chidgey: To ask the Secretary of State for Transport what assessment he has made of the impact of reduced staffing levels at railway stations on disabled access to train services. [25482]

Mr. Watts: None. The reduction of staffing levels at stations is a matter for individual station operators. All station operators are required to have regard to the needs of people with disabilities as a condition of being granted a licence to operate.

The Department has carried out research recently into ways of enabling disabled people to travel safely to and from unstaffed stations. Among the options considered, in consultation with disabled people, were information systems and tactile and audible signals to help visually impaired people and stair lifts to provide access between platforms for people with walking difficulty. Other equipment, such as train-mounted ramps, has been used successfully at unstaffed stations by train operating companies.

Traffic Congestion

Mr. David Marshall: To ask the Secretary of State for Transport what estimate he has made of *(a)* the percentage increase in traffic on roads by the year 2005 and *(b)* the cost of consequent delays and inefficiencies. [25221]

Mr. Watts: The Department's most recent forecasts show road traffic in 2005 between 16 per cent. and 26 per cent. higher than in 1996.

The Department does not make estimates of the national cost of delays and inefficiencies. These costs at a national level are very difficult concepts to pin down. Others have made estimates of the UK cost of congestion on the basis of work carried out by the Organisation for Economic Congestion and Development some six years ago. However, the method used contains a number of gross simplifications and the results are consequently unreliable.

Our own assessments focus on the appraisal of individual transport projects. They start from the baseline of current conditions and estimate the reduction in costs in the area concerned that can be achieved by implementing the project. These estimates are backed up by an on-going extensive programme of research on methodology.

Overcrowded Trains (Safety)

Mr. French: To ask the Secretary of State for Transport, pursuant to his answer of 26 March, *Official Report*, columns *543–44*, what assessment was made by the Health and Safety Executive of the additional time an overcrowded train will take to evacuate in the event of an accident. [25246]

Mr. Watts: The time taken to evacuate a train will depend on the type of accident and its location. This is particularly relevant when an accident occurs on electrified lines or where there are trains running on adjacent lines.

In all incidents other than fires, it is preferable that passengers do not attempt to leave the train until directed to do so by railway staff or the emergency services. In such circumstances, crowded trains do not present a hazard for passenger safety.

Marine Pollution

Mr. Ainger: To ask the Secretary of State for Transport if he will list those substances in respect of which, when spilled at sea, compensation for damage can be claimed from the international oil pollution compensation fund. [25328]

Mr. Norris: Under the terms of the Merchant Shipping Act 1995, compensation is available from the international oil pollution compensation fund for pollution damage caused as a result of spills of "persistent hydrocarbon mineral oil" when carried as cargo at sea, or spills of bunker oil from laden tankers. A comprehensive list of substances which fall within this definition is not readily available, but it does include orimulsion.

Mr. Ainger: To ask the Secretary of State for Transport if damage caused by a spillage at sea of orimulsion is covered by the international oil pollution compensation fund. [25327]

Mr. Norris: Yes.

Compliance Cost Assessments

Ms Ruddock: To ask the Secretary of State for Transport what plans he has to produce a compliance cost assessment for the forthcoming White Paper on transport policy; and if it will be publicly available. [25278]

Sir George Young: It is the Department's policy to produce compliance cost assessments for all regulatory proposals which have an impact on business, voluntary organisations and charities. Copies of all assessments are sent to the Libraries of both Houses and are available, on request, from this Department.

Ms Ruddock: To ask the Secretary of State for Transport how many compliance cost assessments were produced by his Department in 1995; and if he will place copies of them in the Library. [25277]

Mr. Norris: This Department produced 17 compliance cost assessments for new regulations last year. In common with other Government Departments, copies of cost assessments are placed in the House Libraries.

Bull Bars

Mr. Flynn: To ask the Secretary of State for Transport what percentage of bull bars in Britain he estimates will be banned under the present proposed amendment to the European external projection directive now being considered by the Commission; and what vehicles will be included. [24834]

Mr. Norris: The present proposed amendment to the European external projections directive will apply to the type approval of new cars, including car-type four-wheel drive vehicles, and to bull bars for these vehicles which are sold separately. The effect would be to allow a ban of all bull bars with a rigid metal surface for these vehicles.

Millennium Exhibition

Sir Michael Neubert: To ask the Secretary of State for Transport what plans he has to ensure there are adequate facilities for river traffic in connection with the millennium exhibition at Greenwich. [25005]

Mr. Norris: It is anticipated that the majority of visitors would use means of transport other than the river and would therefore benefit from the improvements in transport capacity outlined in the answer which I gave to my hon. Friend the Member for Romford (Sir M. Neubert) on 11 March, *Official Report*, columns *470–71*. The development of a river service to the millennium exhibition is a matter for the private sector in conjunctions with the consortium running the exhibition, but the Government would consider the case for contributing to the provision or upgrading of necessary piers in that connection.

London Underground

Mr. Spearing: To ask the Secretary of State for Transport what plans he has for the operation by a separate organisation of *(a)* telecommunications, *(b)* power supply and transmission, *(c)* ticketing, *(d)* train maintenance, *(e)* train operating, *(f)* station management including staffing, *(g)* railway signalling and *(h)* track maintenance and renewal on the London Underground. [25512]

Mr. Norris: Whether services are best provided in-house or by contractors is a matter for London Underground to decide. It is currently holding competitions under the private finance initiative for projects involving telecommunications, electricity generation and distribution, and ticketing and revenue collection. Some train and track maintenance work is already carried out by contractors.

Mr. Spearing: To ask the Secretary of State for Transport what investigations are being made into the power failure on the London Underground system on 6 April; who is conducting these investigations; to whom they will report; what findings will be published; and when. [25509]

Mr. Norris: London Underground Ltd. staff are carrying out an investigation into the power failure on the underground on 6 April and the lessons to be learned. The investigation is under the direction of Denis Tunnicliffe, LUL's managing director, and its report will be made to the board of London Transport. The report is expected to be completed in early May. Publication of its findings would be a matter for the LT board.

Bus Routes (London)

Mr. Jessel: To ask the Secretary of State for Transport what powers London borough councils have to determine *(a)* whether London Transport will be permitted to run single or double-decker bus routes and *(b)* to site bus stops in (i) trunk roads and (ii) local roads. [25383]

Mr. Norris: London boroughs have powers to make orders to regulate traffic, including buses, on roads for which they are the highway authority. The siting of stops is a matter for London Transport and either the appropriate borough in the case of local roads, or the Traffic Director for London in the case of stops on the red route network—which includes all trunk roads.

Silvertown to Woolwich Rail Tunnel

Mr. Spearing: To ask the Secretary of State for Transport if he will list the bodies represented on a project team to investigate engineering, environmental and financial aspects of the proposed Silvertown to Woolwich rail tunnel; who is responsible for its chairing and administration; to whom it will report; what bodies will need to give consent to any recommendations of the project team; and what is the planned timetable for its operation and subsequent activities. [24577]

Mr. Norris: British Rail, Railtrack, London Transport and the London Docklands development corporation are jointly undertaking a study into the feasibility of the scheme for a rail tunnel between Silvertown and Woolwich. It is hoped that the results of the study will be put to me soon, with a view to a subsequent public report. I shall consider their recommendations carefully, especially with regard to the scope for private finance, the case for and affordability of any public funding, and whether powers should be sought. There is, as yet, no firm timetable.

SCOTLAND

Jobseeker's Allowance

Mr. Rooney: To ask the Secretary of State for Scotland if his Department will accept an average of the annual amount of hours' study undertaken, calculated over the number of weeks of the course, as a weekly figure when deciding whether students are part time for the purposes of the jobseeker's allowance. [24811]

Mr. Forth: The jobseeker's allowance regulations provide that a person who undertakes a course funded or part-funded by the Further Education Funding Council for Wales will be considered to be a part-time student if a document signed on behalf of the establishment which is funded by the FEFC for Wales for the delivery of the course says that the course involves 16 guided learning hours, or less, a week.

In the case of courses funded by the Secretary of State for Scotland at a college of further education, a student will be considered to be part time if a document signed on behalf of the college says that the course involves 16 hours or less a week of classroom or workshop-based programmed learning under the direct guidance of teaching staff; or 21 hours or less a week, made up of 16 hours or less of classroom or workshop-based programme learning under the direct guidance of teaching staff and additional hours using structured learning packages with the support of teaching staff.

In both cases, the Employment Service will accept these documents as evidence of whether or not a person is a part-time student. In the case of courses funded by the FEFC for Wales, the number of hours per week will be calculated on the basis of a weekly average of the number of guided learning hours for the course. In the case of courses funded by the Secretary of State for Scotland at a college of further education, the number of hours of study per week will be calculated in the same way.

Housing Revenue Account (Borrowing)

Mr. Chisholm: To ask the Secretary of State for Scotland what was the level of borrowing consent for the housing revenues account capital budget of each local authority in *(b)* 1995–96 and *(b)* 1996–97. [24612]

Mr. Raymond S. Robertson: The information requested is set out in the table.

Local authority housing capital allocations: 1995–96 and 1996–97 borrowing consent

Housing revenue account

Authority	*Borrowing consent £ million*
1995–96	
Borders	
Berwickshire	0.063
Ettrick and Lauderdale	0.644
Roxburgh	1.474
Tweeddale	0.609
Central	
Clackmannan	0.327
Falkirk	3.038
Stirling	3.595
Dumfries and Galloway	
Annandale and Eskdale	0.543
Nithsdale	2.782
Stewartry	0.000
Wigtown	1.177
Fife	
Dunfermline	2.234
Kirkcaldy	1.629
North East Fife	0.000
Grampian	
Aberdeen	0.577
Banff and Buchan	0.000
Gordon	2.337
Kincardine and Deeside	0.770
Moray	0.000
Highland	
Badenoch and Strathspey	0.433
Caithness	1.082
Inverness	2.404
Lochaber	1.970
Nairn	0.263
Ross and Cromarty	2.915
Skye and Lochalsh	1.077
Sutherland	0.496
Lothian	
East Lothian	1.691
Edinburgh	18.488
Midlothian	2.280
West Lothian	0.000
Strathclyde	
Argyll and Bute	0.004
Bearsden and Milngavie	0.880
Clydebank	3.486
Clydesdale	0.874
Cumbernauld and Kilsyth	0.201
Cumnock and Doon Valley	0.847
Cunninghame	3.086
Dumbarton	3.959
East Kilbride	0.471
Eastwood	0.741
Glasgow	58.788
Hamilton	0.000
Inverclyde	5.048
Kilmarnock and Londoun	2.460
Kyle and Carrick	0.448
Monklands	3.820
Motherwell	5.336
Renfrew	9.986
Strathkelvin	2.049
Tayside	
Angus	0.597
Dundee	8.414
Perth and Kinross	0.769
Islands areas	
Orkney	0.000
Shetland	2.949
Westerm Islands	2.556
1996–97	
Aberdeen City	1.691
Aberdeenshire	3.901
Angus	1.048
Argyll and Bute	0.984
Clackmannan	0.926
Dumfries and Galloway	3.892
Dundee City	10.012
East Ayrshire	2.888
East Dunbartonshire	2.571
East Lothian	1.911

Local authority housing capital allocations: 1995–96 and 1996–97 borrowing consent

Housing revenue account

Authority	*Borrowing consent £ million*
East Renfrewshire	0.693
Edinburgh City	16.512
Falkirk	4.750
Fife	1.963
Glasgow City	58.001
Highland Region	7.269
Inverclyde	4.072
Midlothian	2.144
Moray	0.537
North Ayrshire	2.943
North Lanarkshire	11.925
Orkney	0.000
Perthshire and Kinross	1.813
Renfrewshire	8.832
Scottish Borders	2.231
Shetland	2.217
South Ayrshire	1.499
South Lanarkshire	1.222
Stirling	2.756
West Dunbartonshire	6.078
West Lothain	1.496
Western Isles	2.223

Road Congestion

Mr. McAvoy: To ask the Secretary of State for Scotland if he will publish maps showing forecasts of future road congestion for Scotland on the same basis as those published for England. [25178]

Lord James Douglas-Hamilton: In 1992, the Government published the document "Roads, Traffic and Safety 1992", which included a summary of the findings of the Scottish Office's then recently completed trunk and key principal road network review.

This review included a level of service analysis of existing and forecast future road congestion for Scotland. Figures 3.5a and 3.5b on page 14 of "Roads, Traffic and Safety 1992" are maps illustrating the level of service analyses for 1990, and for 2010 assuming high national road traffic forecasts. A copy of the document is in the Member's Library.

Chess

Mrs. Ewing: To ask the Secretary of State for Scotland what has been the amount of public expenditure on chess in Scotland during the current year and during each of the five previous years. [25189]

Mr. Raymond S. Robertson: The Scottish Chess Association has been offered a grant of £7,850 to assist with the cost in the current financial year of maintaining its headquarters operation. The information set out in the table details the financial assistance provided in each of the five previous years:

Year	*Headquarters grant £*
1991–92	6,500
1992–93	11,000
1993–94	7,500
1994–95	8,800
1995–96	7,850

Mrs. Ewing: To ask the Secretary of State for Scotland what is his policy in respect of the separate funding arrangement administered by the Scottish Office Education Department to the Scottish Chess Association. [25190]

Mr. Robertson: The Scottish Office Education and Industry Department provides grant funding to the Scottish Chess Association to assist with the cost of operating its headquarters administration. Grant is paid through a scheme which assists national voluntary organisations in the community education field in terms of the Further Education (Approved Associations) (Scotland) Grant Regulations 1989. Grant support to SCA takes into account costs of promoting the development of chess amongst young people particularly through schools.

Local Government Reform

Sir David Steel: To ask the Secretary of State for Scotland what is the method of calculating the capital expenditure allocation for 1996–97 for the new unitary authorities in Scotland. [25359]

Mr. Kynoch: Capital allocations for the new unitary authorities have been determined partly by formula and partly following consideration of authoritiess' financial plans and annual policy statements. The new councils will also receive an allocation to cover expenditure they incur as a result of legal commitments entered into by their predecessors.

Council Tax

Mrs. Ewing: To ask the Secretary of State for Scotland what were the costs *(a)* in cash terms and *(b)* at current prices of (i) introducing the community charge in Scotland and (ii) introducing the council tax in Scotland. [25420]

Mr. Kynoch: The Scottish Office provided additional capital allocations amounting to £21 million for the introduction of the community charge and additional provision of £24 million within the 1992–93 local government finance settlement for the introduction of the council tax. These are cash figures, and equate to £37.7 million and £25.8 million respectively at current prices. Local authorities expenditure returns, however, indicate that they spent only £7.3 million—cash—or £7.9 million—current prices—of the £24 million in preparation for the council tax in 1992–93.

Fatal Accident Inquiries

Mrs. Ewing: To ask the Secretary of State for Scotland if he will state for each year since 1976 the number of instances where there has been a death to which section 1 of the Fatal Accidents and Sudden Deaths Inquiry (Scotland) Act 1976 applies, and the next of kin has requested a fatal accident inquiry and such inquiry has been *(a)* refused and *(b)* held; and if he will take steps to ensure that where under the Fatal Accidents and Sudden

Deaths Inquiry (Scotland) Act 1976 a fatal accident inquiry is not held contrary to the wishes of the next of kin, steps are taken to explain the reason for such decision to the next of kin with particular reference to the use of a private interview. [25427]

Lord James Douglas-Hamilton: My noble and learned Friend the Lord Advocate informs me that the information requested concerning the number of death cases which fall into the categories referred to by the hon. Member is not readily available and could be obtained only at disproportionate cost. I understand from the Lord Advocate that procurators fiscal, where appropriate, will interview relatives of the deceased to ascertain whether there is any wish for a fatal accident inquiry to be held. In the course of the interview, the procurator fiscal will explain the public inquiry system and the criteria for holding inquiries. The interview also gives the next of kin the opportunity to obtain information from the procurator fiscal about the cause and circumstances of the death. If it is decided not to hold a fatal accident inquiry, this decision will be communicated to the next of kin.

Right to Buy

Mrs. Ewing: To ask the Secretary of State for Scotland if he will amend the Tenants' Rights etc. (Scotland) Act 1980 so that tenants of council houses whose titles disclose rights of pre-emption to superiors or prohibitions against sub-division are entitled to the benefit of the right to buy. [25429]

Mr. Raymond S. Robertson: The interaction between a tenant's right to buy under the Housing (Scotland) Act 1987, which consolidated earlier legislation, and rights of pre-emption by feudal superiors is at present the subject of an appeal to the House of Lords. It would be inappropriate to amend the legislation in advance of the outcome of the appeal.

Meanwhile, it remains the Government's view that local authorities are free to remove any such obstacle to the exercising of the right to buy by negotiating a waiver of any pre-emption rights with the feudal superior or by applying to the Lands Tribunal for Scotland under section 1 of the Conveyancing and Feudal Reform (Scotland) Act 1970.

Mrs. Ewing: To ask the Secretary of State for Scotland what representations have been received and from whom that the Tenants' Rights etc. (Scotland) Act 1980 should be amended in order to ensure tenants have a statutory right to purchase properties whose titles contain rights of pre-emption and prohibition against sub division. [25430]

Mr. Robertson: I refer the hon. Member to the answer I gave her on 19 October 1995, *Official Report*, column *321*. No further representations have been received.

Education for Sustainable Development Group

Mr. Welsh: To ask the Secretary of State for Scotland what *(a)* recommendations; *(b)* public consultations and *(c)* public statements have been made by the education for sustainable development group within the Scottish Office since its establishment in September 1995; and if he will provide details. [25423]

Mr. Kynoch: In "A Scottish Strategy for Environmental Education", published in June 1995, the Secretary of State asked his advisory group on sustainable development, chaired by Sir Charles Fraser, to take on a national role in environmental education as part of its wider programme on sustainable development. It established a sub-group on education for sustainable development with a remit to review and report on education for sustainable development and the environment, with particular regard to:

- promoting a strategic approach and assessing its effectiveness;
- suggesting priorities for resource allocation;
- focusing attention on concerns within sustainable development, in which education has a major influence;
- suggesting research and monitoring which might underpin the setting of targets; and
- making recommendations to the advisory group on sustainable development.

The sub-group, chaired by Professor Bart McGettrick, has met on four occasions, beginning on 31 July 1995, and will shortly publish its first action plan setting out its planned programme of activity.

Private Landed Estates

Mr. Salmond: To ask the Secretary of State for Scotland what mechanisms are in place for monitoring the use of publicly funded *(a)* grants and *(b)* loans to private landed estates in Scotland; and if he will make a statement. [25465]

Mr. Raymond S. Robertson: There are no separate mechanisms for monitoring the use of publicly funded assistance to private estates in Scotland. Each grant or loan scheme includes its own mechanism for monitoring, and the conditions attaching to the monitoring exercise are applied to all recipients of assistance irrespective of their land tenure status.

Mr. Salmond: To ask the Secretary of State for Scotland if he will list those land owners known to the Scottish Office at the present time who own estates in Scotland of over 500 acres, and express their total land holding as a percentage of the total land area of the country; and if he will make a statement. [25514]

Lord James Douglas-Hamilton: This information is not available for the whole of Scotland. Information on title to land over two hectares which has been registered on the land register is available from the Registers of Scotland executive agency.

Mr. Salmond: To ask the Secretary of State for Scotland if he will list the publicly funded *(a)* grants and *(b)* loans received by the Atholl estate since 1979; what mechanisms are currently in place to monitor the use of such payments; and if he will make a statement. [25466]

Mr. Robertson: Details of financial assistance given to Atholl estate since 1979 are not held centrally. The collation of this information could be achieved only at disproportionate cost.

The monitoring of any such payments is designed to ensure the achievement of the particular scheme objectives and the fulfilment of individual scheme conditions.

Ministerial Aircraft

Mrs. Ewing: To ask the Secretary of State for Scotland what have been the total costs of running his ministerial aircraft since his appointment; and if he will provide a breakdown of journeys, giving dates and the passengers on each journey. [25493]

Mr. Michael Forsyth: There is no ministerial aircraft.

Departmental Expenditure

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland what is his estimate of departmental expenditure on administration for *(a)* 1979–80, *(b)* 1989–90, *(c)* 1991–92, *(d)* 1993–94, *(e)* 1994–95, *(f)* 1995–96 and *(g)* 1996–97. [11409]

Mr. Michael Forsyth *[holding answer 30 January 1996]:* Gross running costs for the Scottish Office, excluding the Scottish Prison Service, are as follows:

£ million

Year	*Cash*	*Real terms*
1996–97	184.0	184.0
1995–96	189.2	194.4
1994–95	185.9	196.3
1993–94	188.4	202.6
1991–92	175.1	201.7
1989–90	142.0	187.7
1979–80	58.0	153.0

With the exception of those for 1979–80 and 1989–90, the cash figures above are shown in appendix 3 of the 1996 departmental report for my departments (Cm 3214). The figures for 1979–80 are not strictly comparable with those for later years owing to the introduction of superannuation charges of approximately 13 per cent. which have been taken into account from 1989–90 onwards, the introduction of charges for the occupation of Government offices in 1983–84—which now amount to some £25 million per annum—and various shifts of responsibility from UK Departments to the Scottish Office. The total effect of these changes has been to increase the figures over the period by an amount estimated in 1996–97 to be approximately £40 million per annum.

BSE

Mr. Wilson: To ask the Secretary of State for Scotland how many cases of BSE have been identified in Ayrshire in each of the past 10 years; and how many farms were involved. [23761]

Mr. Raymond S. Robertson *[holding answer 1 April 1996]:* The information requested is as follows:

Year	*Cases*
1986	Nil
1987	Nil
1988	5
1989	25
1990	65
1991	93
1992	250
1993	277
1994	166
1995	64
1996	6
Total	951

Farms may count in more than one year. The total number of farms involved is 383.

Scottish Pre-School Play Association

Mr. Dalyell: To ask the Secretary of State for Scotland if he will make a statement on his meeting with Mrs. Doreen Black of the Scottish Pre-School Play Association. [22194]

Mr. Raymond S. Robertson *[holding answer 2 April 1996]:* On 25 March I met the chairman and chief executive of the Scottish Pre-School Play Association. We had a useful and informative exchange of views and in particular I welcomed their support for our expansion of pre-school provision. I undertook to consider carefully the points made by the association.

Departmental Promotion

Mr. Nigel Griffiths: To ask the Secretary of State for Scotland how much the Scottish Office has spent promoting *(a)* the right-to-buy scheme and *(b)* exemptions from prescription charges in 1995–96; and of that, how much was spent in each case on (i) television, (ii) radio and (iii) the press. [24459]

Lord James Douglas-Hamilton *[holding answer 3 April 1996]:* In 1995–96, my Department spent £168,000 on promoting the right-to-buy scheme, of which £111,000 was spent on television and £57,000 on press. A total of £21,000 was spent on a press campaign to publicise exemptions from prescription charges.

Mr. Griffiths: To ask the Secretary of State for Scotland what was the total expenditure on publicity campaigns commissioned by his Department from 1 April 1995 to 1 March 1996, showing (i) the medium, (ii) the purpose and (iii) the cost of each publicity campaign. [24460]

Lord James Douglas-Hamilton *[holding answer 3 April 1996]:* The information requested is as shown:

Medium	*Purpose*	*Cost £*
Radio and press	To recruit members to Children's Panels	88,000
Cinema, radio, press, posters, leaflets and booklets	Campaign against housebreaking	244,000
Television	Campaign against domestic violence	84,000
Television and press	To encourage electoral registration	60,000
Television and leaflet	To encourage pre-planning of fire escape route	323,000
Press and leaflet	To inform men over 60 of changes in prescription charge legislation	21,000
Press	To recruit organ donors	35,000

Medium	Purpose	Cost £
Television, cinema, radio and posters	To encourage enrolment in children's traffic club; to encourage young drivers to drive more carefully and discourage speeding	320,000
Television and press	Informing public sector tenants of their right to purchase their homes	168,000

Banking and Financial Dealings Act 1971

Mr. Stewart: To ask the Secretary of State for Scotland what representations he has received concerning the application of schedule 1 to the Banking and Financial Dealings Act 1971 to Scotland; and what reply he has given. [13815]

Mr. Michael Forsyth *[holding answer 7 March 1996]:* Forty-eight letters have been received from members of the Banking Insurance and Finance Union asking for the Government's support in seeking dialogue between BIFU and the Committee of Scottish Clearing Bankers with a view to reversing the decision by the Scottish clearing banks to harmonise their bank holidays with those in England and Wales.

Replies to these letters have made it clear that the banks took their decision for business reasons, after taking their own legal advice. They did not consult the Scottish Office about their decision, nor were they obliged to do so. The days on which banks decide to close or open is a matter for them.

The statutory bank holidays in Scotland remain those set out in schedule 1 to the Banking and Financial Dealings Act 1971 or proclaimed each year under that Act. The legislation does not expressly require the banks, or any other employer, to close on bank holidays. Its general effect is to provide certain financial safeguards for banks who do not transact business on those days. The Government have noted the decision of the Scottish clearing banks, and although we have no present plans to change the legislation on bank holidays, we will continue to keep the position under review.

Bank holidays, like all other pay and conditions issues, are a contractual matter for agreement between employers and employees. The law does not give any statutory rights to time off, or extra pay, on bank holidays. The initiative lies entirely with the banks and their decision is not one in which the Government can intervene.

DEFENCE

Cyprus (Murder)

Mr. Hanson: To ask the Secretary of State for Defence who has funded the legal costs for the defence of riflemen of the Royal Green Jackets against the charges of assault and manslaughter of Louise Jensen in Cyprus in September 1994. [24072]

Mr. Soames: The legal costs for the three soldiers have been funded from the Army legal aid scheme.

Daedalus Site

Mr. Viggers: To ask the Secretary of State for Defence what current plans he has for the future of the Daedalus site at Lee-on-Solent. [24571]

Mr. Soames: The HMS Daedalus site is surplus to MOD requirements and is due to be vacated by the Navy on 31 July 1996. A working group comprising MOD officials and officers from the relevant local authorities has been set up to consider its future use, development opportunities and an appropriate disposal strategy.

Alderney

Mr. John Marshall: To ask the Secretary of State for Defence when he plans to release the papers relating to the wartime occupation of Alderney. [24613]

Mr. Soames: We hope to release the few remaining closed papers covering the wartime occupation of Alderney later this year.

HMS Dolphin

Mr. Viggers: To ask the Secretary of State for Defence if he will make a statement on the future of HMS Dolphin. [24570]

Mr. Soames: Options for the future use of HMS Dolphin are currently being considered. Any proposals for change will be subject to consultation.

Bosnia

Mr. Llwyd: To ask the Secretary of State for Defence how many troops are currently on active service in Bosnia; and if he will make a statement. [25014]

Mr. Soames: There are currently some 10,500 UK troops with the NATO peace implementation force in Bosnia.

Mr. Llwyd: To ask the Secretary of State for Defence which British aircraft are currently in use in Bosnia; and if he will make a statement. [25011]

Mr. Soames: RAF Chinook, RN Sea King and Army Air Corps Lynx and Gazelle helicopters operate with UK forces in Bosnia. RAF Harrier GR7, Tristar and E-3D AWACS aircraft based in Italy and C130 aircraft from the UK operate in support of IFOR.

Departmental Properties

Mr. Jamieson: To ask the Secretary of State for Defence, pursuant to his answers of 11 December 1995, *Official Report*, columns *482-84* and 1 April, *Official Report*, columns *38–41*, what factors led to information on the number of properties owned by his Department in each parliamentary constituency being currently unavailable. [24922]

Mr. Soames: The Defence housing executive took over the management of the family quarters estate from the services on 1 April 1996. The estate is managed by area managers who report to regional controllers and details of all the properties are now held centrally by address and postal code. Cross referencing to parliamentary constituencies can presently be done only at

disproportionate cost. Copies of a map showing the regions and areas will be placed in the Library when they are available.

Defence Spending

Mr. Llwyd: To ask the Secretary of State for Defence what amount *(a)* in total and *(b)* as a proportion of gross national product was spent on defence in the last year for which figures are available by (i) each NATO country, (ii) Japan, (iii) Switzerland, (iv) Finland and (v) Ireland; and if he will make a statement. [25008]

Mr. Soames: Details of defence expenditure by NATO countries in 1994 are contained in page 82 of the "Statement on the Defence Estimates 1995", a copy of which is in the Library of the House. According to *The Military Balance 1995/96*, compiled by the International Institute for Strategic Studies, comparable information for Japan, Switzerland, Finland and Ireland is as follows:

	Defence expenditure 1994 $ million	*As percentage of GDP*
Japan	45,800	1.0
Switzerland	4,300	1.6
Finland	1,970	2.0
Ireland	622	1.2

Mr. Cohen: To ask the Secretary of State for Defence if he will list, for each European member of NATO, defence expenditure expressed *(a)* by proportion of gross national product and *(b)* on a per capita basis. [25398]

Mr. Soames: This information is contained in page 82 of the "Statement on the Defence Estimates 1995", a copy of which is in the Library of the House.

Low Flying

Mr. Llwyd: To ask the Secretary of State for Defence if he will list the fast jet types which are authorised to conduct night low flying in the United Kingdom; and if he will make a statement. [25010]

Mr. Soames: The fast jet types normally authorised to operate in the United Kingdom night low flying system are: Canberra, F15, Harrier, Jaguar and Tornado.

Mr. Llwyd: To ask the Secretary of State for Defence how many low flying movements were recorded over Wales in 1995; and if he will make a statement. [25157]

Mr. Soames: I refer the hon. Member to the answer my right hon. Friend the Member for Richmond and Barnes (Mr. Hanley) gave him on 16 February 1994, *Official Report*, column *818*.

Atomic Weapons Establishment, Llanishen

Mr. Morgan: To ask the Secretary of State for Defence, pursuant to his answer of 2 April, *Official Report*, column *95*, when he expects to have an estimate of the decommissioning costs of Atomic Weapons Establishment, Llanishen, Cardiff, and for how long the site will require sterilisation before any after-use. [25193]

Mr. Arbuthnot: An estimate of the decommissioning costs of the atomic weapons establishment, Llanishen, Cardiff was made in 1994. It was taken into account in reaching the decision to close the factory. A period of sterilisation will not be required once the work of decontaminating the site has been completed in accordance with the requirements of the local authority.

Armed Forces (Roles)

Mr. Cohen: To ask the Secretary of State for Defence what roles and functions are carried out by Her Majesty's armed forces that are not carried out by other European members of NATO. [25397]

Mr. Soames: The roles and tasks of Her Majesty's armed forces are set out in annex A of the "Statement on the Defence Estimates 1995", a copy of which has been placed in the Library of the House. The main functions they carry out which are not mirrored by other European members of NATO's integrated military structure include the provision of nuclear forces, the defence of our dependent territories and military aid to the civil power in Northern Ireland.

Asbestos, Broughton Moor

Mr. Campbell-Savours: To ask the Secretary of State for Defence if he will authorise a full land and building contamination survey for asbestos by the Royal Ordnance Environmental Services Group on the former Royal Navy armaments depot—RNAD—site at Broughton moor, Cumbria. [25261]

Mr. Soames: Royal Ordnance Environmental Services Group was among the unsuccessful bidders for a term contract to carry out land quality assessments of MOD sites. A site assessment of the former RNAD Broughton moor, of which asbestos contamination is one element, has now been completed.

Torbay Submarine

Mr. Cohen: To ask the Secretary of State for Defence if he will make a statement about the recent failure in the steering system of the atomic-powered submarine Torbay in Plymouth sound. [25395]

Mr. Soames: HMS Torbay's electrical primary steering gear failed as the submarine was leaving Devonport naval base on 12 March. Torbay was brought to a controlled stop under her primary hydraulic steering gear, which was activated automatically. She then moved to a mooring buoy and, following successful checks and repairs, proceeded to sea. She remained under control at all times and was throughout accompanied by two tugs, as is standard practice for nuclear submarines in Plymouth sound, although a third tug was made available as a precaution. This was a minor incident with no nuclear or other safety implications.

Legal Costs

Mr. Flynn: To ask the Secretary of State for Defence how much his Department spent on legal costs in defending personnel in military and civilian courts in each of the last five years; and what is his estimate for the current year. [24831]

Mr. Soames: Service legal aid is available to accused service personnel who are to be tried by courts martial, or wish to appeal to the courts martial appeal court, or are to be tried by a civilian criminal court outside the UK in respect of an offence committed while off duty, or are to be tried before standing civilian courts. Records of the total costs of this aid are not held centrally and could be provided only at disproportionate cost.

Bulford Barracks

Mr. Key: To ask the Secretary of State for Defence if it is his policy to reduce overcrowding at barracks in Bulford; and what assessment he has made of the number involved. [24873]

Mr. Soames: It is our policy that soldiers should, wherever possible, live in appropriately scaled accommodation. To this end, an assessment was made of the barracks at Bulford which showed that the single soldier accommodation was significantly overcrowded and in need of refurbishment. The move from Bulford of 249 Signal Squadron and the Allied Command Europe Mobile Force (Land) Combat Service support battalion will ease the overcrowding problem and allow the existing accommodation to be refurbished. It will also enable more efficient use to be made of the barracks at Colerne and Hullavington to which these units will relocate.

Mr. Key: To ask the Secretary of State for Defence if he will replace the 350 service personnel due to vacate Bulford barracks in 1997 and 1998 with a like number; and if he will make a statement. [24874]

Mr. Soames: There are currently no plans to make any significant increases in the number of Army personnel based at Bulford. The deployment of Army units and the use of the defence estate are, however, kept under review to ensure that defence resources are employed cost effectively while maximising operational capabilities.

Mr. Key: To ask the Secretary of State for Defence (1) when 249 Signal Squadron will vacate Bulford barracks; [24918]

(2) when Allied Command Europe Mobile Force (Land) Combat Service support battalion will vacate Bulford barracks. [24919]

Mr. Soames: We expect both of these moves to occur during 1998, but the precise timings have yet to be decided.

Accommodation

Mrs. Ewing: To ask the Secretary of State for Defence if he will list the number of units *(a)* single accommodation and *(b)* married quarters at (1) Craigiehall, Edinburgh (2) Glencorse, Peniciuk, (3) Benbecula and (4) King's barracks, Kirkudbright. [25188]

Mr. Soames: The information requested is given below:

	Single accommodation	*Family accommodation*
Craigiehall, Edinburgh	221	110
Glencorse, Penicuik	792	51
Benbecula	692	212
King's barracks, Kirkcudbright[1]	—	—

[1] Temporary hard lying accommodation available for training purposes only. A development programme on Kirkcudbright will provide 480 units of single accommodation by 2001.

Compliance Cost Assessments

Ms Ruddock: To ask the Secretary of State for Defence how many compliance cost assessments were produced by his Department in 1995; and if he will place copies in the Library. [25276]

Mr. Soames: The MOD is not a regulator of business or responsible for any primary or secondary legislation which impacts significantly upon business. However, my Department published one compliance cost assessment in November 1995 to accompany the new Reserve Forces Bill because of its potential impact on some businesses. A copy was placed in the Library of the House.

NATO Implementation Force

Dr. Spink: To ask the Secretary of State for Defence how many members of the Territorial Army and Army Reserve are to be called out for the second phase of the United Kingdom's contribution to the NATO implementation force in former Yugoslavia. [25325]

Mr. Soames: Approval has been given to call out up to 575 members of the TA and Army Reserve to provide support to operations in former Yugoslavia. They will report from 29 April 1996 to the mobilisation centre and those selected will undertake refresher training before deployment. All are volunteers.

Project D154

Ms Rachel Squire: To ask the Secretary of State for Defence what were the costs quoted in the original bid; what are the current estimated costs of Project D154; what is the reason for the difference; and from what source the additional expenditure will be met. [25411]

Mr. Arbuthnot: The 1993 comparator offer by Devonport Management Ltd.—DML—was some £236 million. Comparison between this and the heads of agreement recently signed with DML for construction of nuclear submarine refitting facilities would be unrealistic because the 1993 offer was not of contractual qualify and different factors, for example different levels of risk, were included in the prices. Certain contractual details, including price, remain subject to negotiation and are commercially confidential. Any additional costs will be contained within my Department's forward expenditure totals.

Radar Base, Mormond Hill

Mr. Salmond: To ask the Secretary of State for Defence what plans he has to *(a)* use or *(b)* dispose of the former MOD radar base at Mormond Hill; and if he will make a statement. [25424]

Mr. Soames: Part of the site at Mormond Hill is to be retained for on-going MOD requirements. The remainder is expected to be offered for sale on the open market.

Mr. Salmond: To ask the Secretary of State for Defence what plans he has for public consultation prior to a final decision on the future of the former MOD radar base at Mormond Hill; and if he will make a statement. [25425]

Mr. Soames: Any change of use by a purchaser of the surplus site at Mormond Hill would require planning permission in the normal way. It would be for the local planning authority to take account of any representations from the public.

Mr. Salmond: To ask the Secretary of State for Defence what discussions he has had with *(a)* commercial firms and *(b)* other bodies on the future of the former MOD radar base at Mormond Hill; and if he will make a statement. [25426]

Mr. Soames: Communications have been received from two telecommunications companies, a local landowner and a power company and from the director of planning and economic development for the Aberdeenshire council and from the Grampian regional council.

Emergency Aid, Montserrat

Mr. Corbyn: To ask the Secretary of State for Defence how many defence personnel and what equipment is currently deployed on emergency aid duties in Montserrat; and if he will make a statement. [25488]

Mr. Soames: There are currently no defence personnel or equipment deployed on emergency aid duties in Montserrat. However, the West Indies guardship is on standby in the region and we are in close and regular contact with the Foreign and Commonwealth Office about possible requirements for military assistance.

Apprentice Training

Dr. Twinn: To ask the Secretary of State for Defence what plans he has to restructure apprentice training within the Army. [25538]

Mr. Soames: A review of apprentice training arrangements in the Army has recommended, subject to consultation, that they should be restructured along the lines of the Government flagship initiative on modern apprenticeship training, which is intended to raise the competence and competitiveness of the UK work force as a whole.

The Army's scheme, which will encompass the Royal Engineers, Royal Signals, Royal Signals Corps and the Royal Electrical and Mechanical Engineers, would be open to young people aged sixteen and a half to eighteen and a half, and would commence with a common 28-week foundation course at Rowcroft barracks, Arborfield followed by technical training at the appropriate arm or service's trade training school and a period of on-the-job training leading to the award of a national vocational qualification—NVQ—level three within three to four years.

The proposals would necessitate some revision to our previous plans to transfer all R Signals apprentice training to Blandford. Under the new arrangements, future R Signals apprentices would still complete their trade training at Blandford, but only after completing their 28-week foundation course at Arborfield.

Rosyth

Ms Rachel Squire: To ask the Secretary of State for Defence what guarantees he will provide for the current Rosyth dockyard pension and redundancy arrangements following its sale; and what plans he has in respect of the pension fund surpluses. [25373]

Mr. Arbuthnot: In respect of the overall pension and redundancy arrangements at Rosyth Royal Dockyard plc, I refer the hon. Member to the answer given to her by my predecessor, my right hon. Friend the Member for Kettering (Mr. Freeman), on 3 July 1995, *Official Report*, columns *84–90*. The treatment of any surplus that the next valuation of the Rosyth Royal Dockyard pension scheme may disclose will be fully consistent with the trust deed and rules of the pension scheme and will not affect the pension benefit entitlements of scheme members and beneficiaries.

Ms Squire: To ask the Secretary of State for Defence what guarantees he will provide for the work load of Rosyth Royal Dockyard plc following its sale. [25372]

Mr. Arbuthnot: The Government's policy on the allocation of work to Rosyth dockyard continues to be governed by the principles announced by my right hon. and learned Friend the Foreign Secretary as Defence Secretary, on 24 June 1993, *Official Report*, columns 447–50, which I confirmed in my answer on 2 April 1996, *Official Report*, column *98*. The precise contractual arrangements relating to the work in question are the subject of negotiation between my Department and the tenderer for Rosyth Royal Dockyard plc, Babcock International Group plc. It would be inappropriate to give details of these discussions, which are commercially confidential.

Ms Squire: To ask the Secretary of State for Defence when he plans to announce the outcome of the proposed sale of Rosyth Royal Dockyard plc; and what factors underlie the delay in that announcement. [25362]

Mr. Arbuthnot: As I made clear in my answer to my hon. Friend the Member for West Dorset (Sir J. Spicer) on 2 April, *Official Report*, column *98*, negotiations continue with Babcock International Group plc in respect of the proposed sale of Rosyth Royal Dockyard plc and there has been no delay in any announcement. It would not be appropriate to comment on the details of those negotiations while they are under way. Privatisation of Rosyth Royal Dockyard plc remains the Government's preferred option, subject to the right terms being secured and to the completion of appropriate consultation with employees and others.

Ms Squire: To ask the Secretary of State for Defence what arrangements for the provision of nuclear refuelling and refitting facilities will be included in the terms of the sale of Rosyth dockyard. [25361]

Mr. Arbuthnot: Under the terms of the proposed sale of Rosyth Royal Dockyard plc, the purchaser will be required to carry out all allocated refit work, surface and nuclear, that is placed with the dockyard by my Department. Appropriate terms for this work are being negotiated as part of the continuing negotiations with Babcock International Group plc to which I referred in my answer of 2 April, *Official Report,* column *98.* There is a continuing programme of appropriate works at Rosyth to enable the dockyard to fulfil its refit programme.

Devonport Management Ltd.

Ms Rachel Squire: To ask the Secretary of State for Defence if he will list the issues which have been the subject of negotiations with DML since 1994. [25363]

Mr. Arbuthnot: The main subjects of discussion between my Department and DML since 1994 have been the proposed privatisation of Devonport Royal Dockyard plc and the provision of new nuclear refuelling and refitting facilities at Devonport—Project D 154—on which I made a statement on 2 April, *Official Report,* column *98.* There have also been the routine discussions appropriate between my Department and a major contractor about on-going refit and other contracts. Details of such discussions are commercially confidential.

Military Equipment Exports

Mrs. Ewing: To ask the Secretary of State for Defence how many jobs in Scotland are dependent *(a)* directly and *(b)* indirectly on the export of military equipment; and if he will provide a breakdown by (i) parliamentary constituency and (ii) local government area within Scotland. [25422]

Mr. Arbuthnot: Statistics are not held in the form requested. Owing to the complexities and methodological problems involved, it would be extremely difficult to generate the information required and this could be achieved only at disproportionate cost. Tables 1.9 and 1.10 of the 1995 edition of "UK Defence Statistics" include figures for the number associated with direct employment in the production of defence equipment in the UK, by region, and the number employed in the UK associated directly and indirectly with defence expenditure. A copy of this publication is held by the Library of the House.

Torture Equipment

Mrs. Clwyd: To ask the Secretary of State for Defence what investigations are taking place into the producer of the "Dispatches" programme on the export of torture equipment by his Department's police; and how much the investigation has cost so far. [24952]

Mr. Soames: This is a matter for the chief constable/chief executive of the Ministry of Defence Police. I have asked the chief constable/executive to write to the hon. Member.

Letter from Walter Boreham to Mrs. Anne Clwyd, dated 16 April 1996:

I am replying to your Question to the Secretary of State for Defence about the Despatches programme, as this falls into my area of responsibility as Chief Constable/Chief Executive of the Ministry of Defence Police Agency.

My officers have conducted an investigation regarding the Despatches programme screened on 11 January 1995, and have submitted a report to the Crown Prosecution Service. I am awaiting their advice.

I estimate the cost of the investigation to be £3,600.

Married Quarters

Mrs. Ewing: To ask the Secretary of State for Defence if he will list (1) the number of married quarters for service personnel stationed in Scotland, for *(a)* Army, *(b)* Navy, *(c)* Royal Air Force and *(d)* Royal Marines personnel, (2) the location of the housing and (3) the number of housing units at each location. [25187]

Mr. Soames: Family quarters are no longer managed by the individual services but are now managed centrally by the Defence housing executive through a system of seven regional controllers and 24 area managers. There are 6,702 family quarters in areas 23, 24 and 25 which cover the whole of Scotland.

Area 23: Glasgow, Helensburg, Dumfries, Prestwick, Benbecula and Sterling.

Area 24: Perth, Edinburgh, Penicuik, Pitreavie, Turnhouse, Melrose, Kinross, Dumfermline, Windygates, Cupar, Dundee, Leuchars, Arbroath and Rosyth.

Area 25: Inverness and Highlands sites, Kinloss, Lossiemouth, Buchan, Saxa Vord, Stornoway and Thurso.

The number of housing units within each area is as follows:

Area 23: 1,778

Area 24: 2,506

Area 25: 2,418.

Boards of Inquiry

Mr. Simon Hughes: To ask the Secretary of State for Defence in what circumstances his Department's boards of inquiry are set up; who carries out the inquiry; in what circumstances the reports or conclusions of boards of inquiry are made public; and how many boards of inquiry have been launched in each of the past five years. [24959]

Mr. Soames: A board of inquiry—BOI—is set up in accordance with Section 135(1) of the Army Act 1955 and BOI (Army) Rules 1956, section 135 of the Air Force Act 1955 and BOI (Air Force) Rules 1956 and Queen's Regulations for the Royal Navy by authority of the Defence Council.

A BOI must be convened in certain circumstances such as unlawful absence exceeding 21 days, the capture by the enemy of a person subject to military law, the death of a person abroad in a military establishment where no inquiry is required by civil law, disablement of a ship, and aircraft accidents. BOIs may also be convened in a variety of other circumstances where the incident affects military service.

In general, a BOI may be convened by the service boards, an officer not below the rank of colonel or equivalent or, in certain circumstances, an officer of any rank commanding a unit or detachment.

Boards of inquiry are internal fact-finding investigations undertaken for military purposes and to prevent a recurrence of a similar incident. As such, they are not in the public domain. Boards of inquiry reports

are, however, made available, subject to the minimum security requirements, to the next of kin of deceased service personnel who are killed in in-service accidents.

Records covering the number of BOIs convened are not held centrally and could be provided only at disproportionate cost.

AGRICULTURE, FISHERIES AND FOOD

Fishing Safety Group

Mr. John Townend: To ask the Minister of Agriculture, Fisheries and Food if he will make it his policy that the position of the fishing industry safety group will be safeguarded following changes to the Marine Safety Agency. [24816]

Mr. Norris: I have asked the chief executive of the Marine Safety Agency to write my hon. Friend.

Letter from R. M. Bradley to Mr. John Townend, dated 16 April 1996:

The Minister of Agriculture, Fisheries and Food has asked me to reply to your Question about safeguarding the position of the Fishing Industry Safety Group (FISG) following changes to the Marine Safety Agency (MSA).

Procedures for consultation on safety matters with the fishing industry, of which FISG is an important part, are currently being reviewed with the full participation of the industry. As part of the review, industry representatives met recently with MSA officials to discuss consultation procedures, including FISG. The industry has undertaken to consider and comment on the current arrangements and possible ways in which those arrangements could be improved. The MSA will consider those comments fully before decisions are taken about future consultation arrangements.

Food Nutritious

Mrs. Anne Campbell: To ask the Minister of Agriculture, Fisheries and Food what plans he has to promote the nutritional benefits of food grown in the United Kingdom. [21617]

Mrs. Browning: A wide range of nutritious foods are grown in the United Kingdom and my colleagues and I are happy to promote their virtues.

EDS Ltd.

Mr. Redmond: To ask the Minister of Agriculture, Fisheries and Food what savings to date have been made by his Department as a result of out-sourcing arrangements made with the EDS computer system; what assessment he has made of the equivalent costs for carrying out this work in-house; and if he will make a statement. [24230]

Mr. Boswell: The Ministry holds no out-sourcing contracts with EDS, so there are no savings or equivalent in-house costs to be assessed.

Integrated Administration and Control System Forms

Mr. David Nicholson: To ask the Minister of Agriculture, Fisheries and Food in how many individual cases assistance was refused owing to mistakes by farmers in completing IACS forms, in each of the years since these came into effect; and what representations he has received on this subject since 1 January 1995. [24292]

Mr. Baldry: It is possible to correct mistakes in IACS forms in certain limited circumstances. The EC rules prescribe automatic penalties for all other cases of discrepancy and make no allowance for the reason for the discrepancy. More stringent penalties apply in respect of serious negligence and fraud.

Some 3,465 and 2,807—provisional figures—IACS applications in 1994 and 1995 respectively faced some level of penalty in the UK as a result of discrepancies found in land area. Of these, the penalties applied in 553 and 367 cases respectively resulted in the loss of all area-related aid. A number of representations on this subject have been received since 1 January 1995, mainly relating to individual cases.

Sea Empress Oil Spill

Mr. Dafis: To ask the Minister of Agriculture, Fisheries and Food if the chemical two-butoxy Etanol was an ingredient in the dispersant used on the Sea Empress oil spill at Milford Haven. [23708]

Mr. Baldry: Yes. Two-butoxy ethanol is one of the family of butyl glycols, as included in the list given in my reply of 4 March 1996, *Official Report*, column *83*.

Driftnetting

Mr. Olner: To ask the Minister of Agriculture, Fisheries and Food if he will make available the recent report, "Cetacean bycatch in the UK tuna driftnet fishery in 1995", to the Council of Fisheries Ministers meeting in April; and if he will be making recommendations to the Ministers on driftnetting. [24841]

Mr. Baldry: The report has already been made available to the Council of Fisheries Ministers and I intend to urge the Council to seek further ways of reducing by-catches of cetaceans in high seas driftnet fisheries while taking account of the effect of fishermen's livelihoods.

Mr. Olner: To ask the Minister of Agriculture, Fisheries and Food (1) if he intends to review the current maximum lengths of driftnets in respect of the finding of the recent report, "Cetacean bycatch in the UK tuna driftnet fishery in 1995"; and what proposals he has to ban the use of driftnets; [24842]

(2) what response he has made to the proposals for a ban on the use of driftnets from the European Parliament and the European Commission; and if he will make it his policy to support an EU-imposed ban on driftnetting; [24580]

(3) what asssessment he has made of the scientific evidence for a ban on high seas driftnets. [24581]

Mr. Baldry: The current maximum length of driftnets permitted on UK and other Community fishing vessels is set at 2.5 km, in line with the precautionary approach and in response to United Nations resolutions. I am not aware of scientific evidence that justifies a different maximum length or a ban on the use of driftnets. I do not therefore

support the European Commission's proposal, but I do not think that means should be sought to reduce by-catches of cetaceans in high seas driftnet fisheries.

Bovine Spongiform Encephalopathy

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food how many cases of suspected BSE were reported in each week from 1 June 1989 to 1 June 1990. [23204]

Mrs. Browning *[holding answer 28 March 1996]:* A breakdown of the number of reported suspected BSE cases on a weekly basis from 1 June 1989 to 1 June 1990 is as follows:

Number of BSE suspects reported

Week ending	*Number restricted*
2 June 1989	117
9 June 1989	169
16 June 1989	130
23 June 1989	130
30 June 1989	147
7 July 1989	115
14 July 1989	127
21 July 1989	140
28 July 1989	171
4 August 1989	182
11 August 1989	146
18 August 1989	190
25 August 1989	181
1 September 1989	163
8 September 1989	180
15 September 1989	166
22 September 1989	171
29 September 1989	167
6 October 1989	176
13 October 1989	193
20 October 1989	190
27 October 1989	174
3 November 1989	205
10 November 1989	221
17 November 1989	215
24 November 1989	192
1 December 1989	207
8 December 1989	185
15 December 1989	202
22 December 1989	211
29 December 1989	128
5 January 1990	244
12 January 1990	293
19 January 1990	282
26 January 1990	292
2 February 1990	309
9 February 1990	329
16 February 1990	359
23 February 1990	370
2 March 1990	421
9 March 1990	389
16 March 1990	401
23 March 1990	354
30 March 1990	336
6 April 1990	329
13 April 1990	294
20 April 1990	274
27 April 1990	302
4 May 1990	347
11 May 1990	339
18 May 1990	401
25 May 1990	366
1 June 1990	355

Beef Exports

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food what measures are in place to prevent the export of beef and beef products from the United Kingdom to countries other than those in the EU. [24378]

Mrs. Browning: Following notification of EU decision 96/239, we have ceased to issue export health certificates for products covered by the decision. The Customs and Excise (Management) Act 1979 enables Customs to detain goods presented for export which are subject to the decision.

Slaughterhouse Waste

Mrs. Helen Jackson: To ask the Minister of Agriculture, Fisheries and Food, pursuant to the oral statement of the Secretary of State for Health of 20 March, *Official Report*, columns 375–86, on the links between bovine spongiform encephalopathy and Creutzfeldt-Jakob disease, what plans he has to commission research and what research he has commissioned into the effects of the disposal of *(a)* offal and *(b)* other cattle waste on agricultural land and the water supply. [22981]

Mrs. Browning: This Department, together with the Department of Environment and the Environment Agency, is funding research to provide guidance on the landspreading of industrial wastes, including abattoir waste. A prime objective of the research is to provide further technical, scientific and practical guidance on the spreading of industrial wastes on land in a manner that protects human health and the environment, as required by article 4 of the amended EC framework directive on waste. The results of the research will be published.

Mrs. Jackson: To ask the Minister of Agriculture, Fisheries and Food what was the total estimated tonnage of abattoir waste disposed of on agricultural land over the last *(a)* 20 years, *(b)* 10 years, *(c)* five years, *(d)* two years and *(e)* year. [23003]

Mrs. Browning *[holding answer 26 March 1996]:* The spreading of waste on land for the benefit of agriculture or ecological improvement, including abattoir waste consisting of blood and gut contents from animals slaughtered for human consumption, is a recovery operation for the purposes of the amended EC framework directive on waste. The spreading of waste for these purposes is controlled under part II of the Environmental Protection Act 1990 and the Waste Management Licensing Regulations 1994. No central record is held of the tonnage of abattoir waste spread on land for the benefit of agriculture or ecological improvement.

Mr. Hinchliffe: To ask the Minister of Agriculture, Fisheries and Food which agency is responsible for regulating the spreading of abattoir waste over land; and if he plans to review current arrangements. [23217]

Mrs. Browning *[holding answer 1 April 1996]:* The spreading of waste on land for the benefit of agriculture or ecological improvement, including abattoir waste consisting of blood and gut contents from animals slaughtered for human consumption, is a recovery operation for the purposes of the amended EC framework directive on waste. The spreading of waste for these purposes is controlled under part II of the Environmental

Protection Act 1990 and the Waste Management Licensing Regulations 1994. On 1 April 1996, responsibility for these controls was transferred from waste regulation authorities to the Environment Agency and the Scottish Environment Protection Agency.

Spreading must be carried out without endangering animal or human health or posing a risk to the environment. The code of good agriculture practice for the protection of water issued by the Ministry of Agriculture, Fisheries and Food and the Welsh Office Agriculture Department provides guidance to farmers and others adopting this practice. The Scottish Office has issued a code of good practice for the prevention of environmental pollution from agricultural activity which also offers guidance.

Pet Food

Mr. Redmond: To ask the Minister of Agriculture, Fisheries and Food if he will make it his policy to ban the sale of cat and dog food until it is produced from ingredients free of mammalian meat and bonemeal. [23348]

Mrs. Browning: SEAC recommended that the use of mammalian meat and bone meal should be prohibited in feed for farm animals. The rationale for this is that it should not be used in any circumstances where there might be a risk of the material being fed to or ingested by ruminants. MBM is not considered a risk to dogs and cats.

Animal Feed

Mr. David Nicholson: To ask the Minister of Agriculture, Fisheries and Food what representations were received by his Department in each year since 1976 regarding the issuing of a requirement that animal feed manufacturers should publish a precise analysis of their products; and what response was made by his Department. [24464]

Mrs. Browning: I am unable to provide the precise information requested. However, farmers' organisations did seek full information concerning compound feeds. EC directives introduced quantitative declarations for nutritional constituents and, in 1990, ingredient listing. This provision, requiring either a full list or categories of ingredients, was supported by the Government.

Mr. Marlow: To ask the Minister of Agriculture, Fisheries and Food what was the tonnage of cattle feed exported from the United Kingdom to each EU member country in each of the last 15 years. [23318]

Mrs. Browning *[holding answer 1 April 1996]:* Exports intended primarily for cattle feed are not separately identifiable.

Information covering the percentage composition of raw materials in main compound feed rations used in Great Britain is published in MAFF bi-annual press notice entitled "Results of the survey into the composition of main compound feed rations as used in Great Britain". Information on trade in raw materials can be found in the CSO Business Monitor MA 20, which is published annually.

Copies of the press notices and the business monitor can be found in the Library of the House.

Tanning Industry

Mr. Key: To ask the Minister of Agriculture, Fisheries and Food what assessments he has made of the consequences for the United Kingdom tanning industry of *(a)* the current level of activity in abattoirs and *(b)* the culling of older dairy cattle; and if he will make a statement. [24619]

Mrs. Browning: I have received a representation from the United Kingdom Industry about the financial impact of the loss of hides from the culling of older cattle and understand that the UK tanning industry is currently experiencing difficulty in sourcing hides due to the slow-down in beef production.

The Council of Agriculture Ministers on 1 and 2 April concluded that bovine animals over the age of 30 months should not enter the human food or animal feed chains or be used for cosmetic and pharmaceutical products. There was no reference to the destruction of hides from cull cattle; therefore, these hides could be recovered and be available to the United Kingdom tanning industry.

Warble Fly

Sir Geoffrey Johnson Smith: To ask the Minister of Agriculture, Fisheries and Food when dairy farmers were first required by Government to treat their cattle with an organophosphate-based insecticide as an antidote to warble fly; and when this practice ceased. [24828]

Mrs. Browning: Compulsory treatment for cattle infested with warble fly was re-introduced in 1978 and is still required. Alternatives to organophosphate-based products have been available from October 1984, when the first ivermectin-based product was authorised.

Cattle Heads

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food on what date the Government announced that the splitting of bovine heads in slaughterhouses was to be prohibited; and when that prohibition came into force. [23203]

Mrs. Browning *[holding answer 28 March 1996]:* Guidance was issued to local authorities on 14 June 1990 that bovine head meat must be recovered from the intact skull before the brain is removed. This guidance was subsequently enacted in the Bovine Offal (Prohibition) (Amendment) Regulation 1992, which came into force on 12 March 1992, prohibiting the removal of any meat for human consumption from the head of a bovine animal after the skull has been opened or the brain has been removed from that head. The Specified Bovine Offals Order 1995, which came into force on 15 August 1995, prohibited the removal of the brain from the head of a bovine animal.

Mr. Key: To ask the Minister of Agriculture, Fisheries and Food if he will list all plants in the United Kingdom licensed by the Government to debone cattle heads; and if he will make a statement. [24214]

Mrs. Browning *[holding answer 2 April 1996]:* Cattle heads, expect for the tongue, are specified bovine material and must be disposed of intact.

There is no statutory provision for the Government to approve or licence plants to debone cattle.

Slaughterhouse Hygiene

Mr. McLeish: To ask the Minister of Agriculture, Fisheries and Food how many slaughterhouses had yet to complete their work plans to meet the structural requirements of the Fresh Meat (Hygiene Inspection) Regulations 1992 at 31 December *(a)* 1993, *(b)* 1994 and *(c)* 1995. [24443]

Mrs. Browning *[holding answer 2 April 1996]:* There were 320 licensed red meat slaughterhouses in England operating under temporary derogations at the end of 1993, 276 at the end of 1994 and 160 at the end of 1995.

State Veterinary Service

Mr. McLeish: To ask the Minister of Agriculture, Fisheries and Food what was the total number of staff in the state veterinary service in each year since 1989–90; and what is the planned number of staff for each year from 1996–97 to 1998–99. [24447]

Mrs. Browning *[holding answer 2 April 1996]:* The total number of staff in the state veterinary service in each year since 1989–90 was as detailed in the following table, which shows the number of staff in post, to the nearest full-time equivalent, at 1 April each year. The figures include staff of all grades and include staff at the veterinary investigation centres, but exclude the central veterinary laboratory.

Year	*Number of staff*
1989–90	791
1990–91	858
1991–92	936
1992–93	[1]1,114
1993–94	1,360
1994–95	1,383
1995–96	1,376

[1] The State Veterinary Service took over responsibility for administrative staff in animal health offices in England from 1 April 1992. These were not all recorded at 1 April 92, but are fully reflected in the 1993 figure.

On 1 October 1995, the veterinary investigation service combined with the central veterinary laboratory to form to the Veterinary Laboratories Agency and 358 posts were transferred to that agency. On 1 April 1996, 31 administrative staff were transferred to the SVS from the Welsh Office. The planned number of staff for 1996–97 is 905. Plans for 1997–98 and 1998–99 have not yet been finalised.

Waste Minimisation

Ms Ruddock: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on progress in establishing an office waste minimisation strategy for his Department indicating the targets set. [24499]

Mr. Boswell *[holding answer 3 April 1993]:* The principle of waste minimisation is already an intrinsic part of the Department's "green housekeeping" policy. With regard to targets set, we are awaiting the outcome of the Department's study into the appropriateness or otherwise of an environmental management system and, to avoid duplication across Government Departments, the Department of the Environment's pilot study on waste minimisation.

Civil Servants (Company Directors)

Mr. Byers: To ask the Minister of Agriculture, Fisheries and Food which serving civil servants in his Department are currently directors of companies, and if he will indicate for each *(a)* the name of the company concerned and *(b)* if the annual remuneration was (i) £1 to £5,000, (ii) £5,000 to £10,000 and *(c)* above £10,000. [18153]

Mr. Boswell *[pursuant to his reply, 5 March 1996, c. 128]:* The answer should read as follows.

A number of officials in the Department have declared their outside interests in accordance with departmental requirements. As with all employment matters, individuals' details are a confidential matter between them and their employer.

The following staff currently hold directorships under the guide to non-executive directorships for civil servants:

Mr. R. G. Purnell: H. R. Wallingford

Mr. A. R. Burne: The Albert Fisher Group plc

Mr. B. J. Harding: Cadbury Ltd.

The individuals concerned do not receive payment.

HEALTH

Emergency Services

15. **Mrs. Jane Kennedy:** To ask the Secretary of State for Health when he last met the Royal College of Nursing to discuss emergency services. [23478]

Mr. Horam: My hon. Friend the Minister for Health met representatives of the medical and nursing professions, including the Royal College of Nursing, on 21 December 1995 to consider a range of issues relating to emergency care. In addition, officials are in regular contact with representatives of the college.

Creutzfeldt-Jakob Disease

16. **Mr. Robathan:** To ask the Secretary of State for Health how many cases of CJD there have been in the United Kingdom over the last four years; and how many cases there have been in *(a)* France and *(b)* Germany. [23479]

Mr. Horam: The latest available data from the national CJD surveillance unit relates only to the years 1993 and 1994.

In 1993, there were 41 definite and probable cases of CJD in the United Kingdom compared with 41 in France and 21 in Germany—the latter referring to July to December only.

In 1994 the figures were: UK 54, France 47, Germany 58.

Mr. Fisher: To ask the Secretary of State for Health if he will require the Spongiform Encephalopathy Advisory Committee to place in the Library all the research evidence on which the committee based its statement of 24 March. [24526]

Mr. Horam: The findings of the national Creutzfeldt-Jakob disease surveillance unit about a previously unrecognised form of CJD will be published

by the researchers in a scientific journal as soon as practicable. I will arrange for a copy of this to be placed in the Library.

Mr. David Nicholson: To ask the Secretary of State for Health what assessment he has made as to whether the provisional conclusions of the research commissioned by Spongiform Encephalopathy Advisory Committee about links between BSE and Creutzfeldt-Jakob disease were *(a)* illegally and *(b)* prematurely disclosed to the *Daily Mirror.* [24666]

Mr. Horam: We have always said that we would inform the public immediately of any change in the scientific evidence for a link between bovine spongiform encephalopathy and Creutzfeldt-Jakob disease. It is clear that the *Daily Mirror* became aware that some form of public announcement was imminent some hours before the event. I have no evidence to suggest that there was an illegal disclosure of information.

Mr. Donald Anderson: To ask the Secretary of State for Health if vaccinations over the last 10 years have used *(a)* calf lymph and *(b)* other substances susceptible to BSE contamination. [24705]

Mr. Horam: We are not aware of calf lymph having been used in the manufacture of any United Kingdom licensed vaccines during the past 10 years.

All bovine materials currently used in the manufacture of UK licensed vaccines and used during the past 10 years belong to category IV in the guidelines produced by the European committee on proprietary medicinal products, "The rules governing medicinal products in the European Union", volume 3, addendum 2 "Minimising the risk of transmission of agents causing spongiform encephalopathies via medicinal products". Copies of the guidelines are available in the Library.

Mr. Steen: To ask the Secretary of State for Health how many people have died in each of the last three years *(a)* from smoking or smoking-related illnesses, *(b)* from CJD, *(c)* from road accidents and *(d)* from conditions related to illegal drug use. [23660]

Mr. Horam: The UK figures for the latest three years available for Creutzfeldt-Jakob disease, motor vehicle accidents and drug abuse are shown in the table.

Year[1]	*Deaths from drug abuse*[2]	*Death from motor vehicle accidents*	*CJD deaths*
1992	2,485	4,681	51
1993	2,458	3,924	45
1994	2,713	3,833	59

[1] For England and Wales, deaths for 1992 represent the number of deaths registered in that year, while deaths from 1993 are deaths which occurred in each year. Also, new procedures for coding cause of death from 1993, and the absence of medical enquiries, mean that figures for 1993 onwards may not be exactly comparable with earlier years. For most conditions, however these effects are small. More details may be found in OPCS Series DH2 for 1993, published in October 1995; copies are available in the Library.
[2] It is not possible to differentiate illegal drugs. International Classification of diseases 9th revision codes 304 (drug dependence) 305.2-305.9 (non-dependent use of drugs), 960-979 (poisoned by drugs, medicaments and biological substances).

It is estimated that in the United Kingdom about 110,000 deaths each year are smoking related.

Mr. Steen: To ask the Secretary of State for Health how many people have died in each of the last three years; and what proportion have died from *(a)* smoking-related conditions and *(b)* CJD. [23661]

Mr. Horam: The information for the United Kingdom for the latest three years available is shown in the table.

Year	*Deaths*[1]	*Proportion of deaths from smoking related illness*[2] *Per cent.*	*Proportion of CJD deaths Per cent.*
1992	634,238	17	0.008
1993	658,481	17	0.007
1994	627,636	18	0.009

[1] Figures for Scotland and Northern Ireland are registered deaths as are the 1992 figures for England and Wales. Later figures for England and Wales are deaths which occurred in that year.
[2] The figure is based on 110,000, which is the estimated number of smoking-related deaths.

Mr. Thurnham: To ask the Secretary of State for Health what research conducted overseas into BSE-CJD type diseases his Department has evaluated; what assessment he has made of this research; and if he will make a statement. [23480]

Mr. Horam: The Spongiform Encephalopathy Advisory committee provides the Government with expert scientific advice on BSE and CJD. This advice takes account of research in the United Kingdom and elsewhere.

Mr. Jim Cunningham: To ask the Secretary of State for Health when he will next be meeting the Spongiform Encephalopathy Advisory Committee to discuss BSE. [23468]

Mr. Horam: My right hon. Friend the Secretary of State has met the chairman of the Spongiform Encephalopathy Advisory Committee on a number of occasions over recent weeks. He will meet the chairman again when necessary to discuss the committee's advice.

Mr. Redmond: To ask the Secretary of State for Health (1) if he will make a statement on the dangers to the health of children of eating dog or cat food; [23325]

(2) if he will make a statement on the risks to the health of humans from handling pet foods containing mammalian meats and bonemeal. [23324]

Mr. Horam: Specified bovine materials are banned from entering the human and animal food chains, and therefore, do not enter pet food. The Spongiform Encephalopathy Advisory Committee concluded that children were not at any greater risk of any possible bovine spongiform encephalopathy infection then adults.

Accident and Emergency Departments

17. **Mr. Kevin Hughes:** To ask the Secretary of State for Health what consultations he has undertaken into the future provision of accident and emergency departments. [23481]

Mr. Horam: Following my right hon. Friend's statement to the House on 6 March, *Official Report,* columns 356–68, we expect widespread consultation to be held at local level about the provision of accident and emergency services.

24. **Sir Michael Neubert:** To ask the Secretary of State for Health what response he has received to his recent guidance to health authorities on the provision of accident and emergency services in the north-east Thames region. [23488]

Mr. Horam: My right hon. Friend the Secretary of State has asked the chief executive of the national health service, Mr. Alan Langlands, to report to him at the end of June, and again at the end of September on health authorities' plans for emergency services. Responses from individual health authorities and NHS trusts are being co-ordinated by the regional offices of the NHS executive.

Mr. Gapes: To ask the Secretary of State for Health if he will instruct the NHS executive to investigate the comparative rates of admission into the accident and emergency departments at *(a)* Oldchurch hospital, Romford and *(b)* King George hospital, Goodmayes. [24789]

Mr. Horam: This would be a matter for the Barking and Havering and the Redbridge and Waltham Forest health authorities.

Mr. Gapes: To ask the Secretary of State for Health what percentage of accident and emergency admissions at *(a)* Oldchurch hospital, Romford and *(b)* King George hospital, Goodmayes, took place within two hours of arrival, in the last year for which figures are available. [24788]

Mr. Horam: Information is not available centrally. The hon. Member may wish to contact Mr. Geoffrey Jennings OBE and Mr. Michael J. Smith, respectively, the chairmen of Havering Hospitals NHS trust and Redbridge Healthcare NHS trust for further information.

Mr. Dykes: To ask the Secretary of State for Health if he will make a statement on the range of accident and emergency facilities available to the public in NHS hospitals located in the outer London boroughs, subsequent to the changes planned for April 1997. [23810]

Mr. Horam: It is the responsibility of local health authorities, working together with local national health service trusts, to ensure that adequate facilities and services are in place to meet the accident and emergency needs of the local populace.

Market Testing

18. **Mr. Turner:** To ask the Secretary of State for Health what consultations he is currently undertaking about the market testing programme. [23482]

Mr. Horam: I am in regular contact with a wide range of people in the national health service, the commercial sector and voluntary sector about ways to improve NHS services for the benefit of patients.

GP Fundholders

19. **Mr. Butler:** To ask the Secretary of State for Health how many doctors in Buckinghamshire are now fundholders, and what proportion of the population of Buckinghamshire are now served by these doctors. [23483]

Mr. Malone: There are currently 249 general practitioners who are fundholders in Buckinghamshire serving approximately 71 per cent. of the population.

23. **Mr. Duncan Smith:** To ask the Secretary of State for Health how many fundholding GPs there are in Redbridge and Waltham Forest; and what that figure represents as a percentage of GPs in the area. [23487]

Mr. Malone: There are currently 116 general practitioners who are fundholders in Redbridge and Waltham Forest. This represents approximately 50 per cent. of the GPs in the area.

District Health Authorities

20. **Mr. Gerrard:** To ask the Secretary of State for Health what assessment he has made of the purchasing policies of district health authorities. [23484]

Mr. Malone: Regional offices of the national health service executive assess health authority purchasing plans as part of their performance management responsibilities.

Personal Social Services

21. **Mr. Amess:** To ask the Secretary of State for Health how much was spent on personal social services *(a)* in 1990–91 and *(b)* in the latest year for which figures are available. [23485]

Mr. Bowis: Local authority returns show gross expenditure on personal social services in England in 1990–91 was £4,698 million. In 1993–94, the latest year for which validated figures are available, gross expenditure was £6,278 million.

Elderly People (Care)

22. **Mr. Eastham:** To ask the Secretary of State for Health when he last met representatives of carers to discuss the provision of care to elderly people. [23486]

Mr. Bowis: I meet frequently with organisations representing carers to discuss a range of matters, including care of the elderly.

NHS Trusts

25. **Dr. Goodson-Wickes:** To ask the Secretary of State for Health what recent consultations he has had concerning the relationship between NHS trust hospitals and social services departments. [23489]

Mr. Bowis: There have been no specific consultations, but regular meetings are held with representatives of the national health service and local authorities. We have emphasised the importance of good procedures and effective communications between local authorities, health authorities and NHS trusts about arrangements for community care.

27. **Mr. McAvoy:** To ask the Secretary of State for Health what recent representations he has received from NHS trusts on proposals to expand their activities involving private finance. [23491]

Mr. Horam: I refer the hon. Member to the reply that I gave to my hon. Friend the Member for Hazel Grove (Sir T. Arnold) on 16 January 1996, *Official Report*, column *550*.

Since that reply, a further nine schemes with a capital value of more than £1 million have been approved, taking the total capital value of approved schemes to £0.5 billion.

Mr. Loyden: To ask the Secretary of State for Health if he will make a statement on the plans by NHS trusts to introduce private health plans. [23469]

Mr. Dorrell: My hon. Friend the Minister for Health recently set out the long-standing position. Trusts have wide-ranging powers to generate additional income, provided, among other things, that there is no unacceptable risk to public funds.

I have, however, made it clear that I do not believe that private health insurance plans could in any circumstances satisfy that requirement. There are therefore no such schemes on offer from NHS trusts, nor do trusts have any plans to introduce such schemes.

Community Care

26. **Mr. Nigel Griffiths:** To ask the Secretary of State for Helath what estimate he has made of the level of funds transferred from his Department to *(a)* other Government Departments and agencies and *(b)* local authorities for community care in 1996–97. [23490]

Mr. Bowis: For 1996–97, my Department transferred £647.6 million to the Department of Environment which was taken into account in the calculation of local authorities' entitlements to revenue support grant. In addition, a special transitional grant for community care services of £418 million will be paid to local authorities by my Department in 1996–97, together with a number of smaller special and specific grants.

Dental Services

28. **Mr. David Nicholson:** To ask the Secretary of State for Health if he will make a statement on the measures he has taken to ensure an adequate provision of NHS dentistry. [23492]

Mr. Malone: We are committed to an effective and accessible national health service dental service that is available to all who wish to make use of it. Our record bears this out:

- At 31 December 1995 there were 15,942 NHS dentists on the lists of family health services authorities in England, the highest December figure ever. This is 516 more dentists than at 30 June 1992 and 3,796 more dentists than at 30 September 1979.
- At 29 February there were 26.4 million patients registered. This is broadly in line with the position at 30 June 1992.
- In 1994–95 gross expenditure on general dental services in England was £1,279 million, an increase in real terms of 57 per cent. since 1978–79.
- In 1994–95 there were 3.7 million more adult dental examinations compared with 1979.

In general, the former family health services authorities have not reported difficulties in achieving our aim. Where there are local problems, health authorities have a range of options, including use of salaried dentists and the community dental service to deal with these. There are 126 salaried dentists currently employed by the health authorities.

In the short term, we are discussing with the dental profession a range of issues aimed to reform dental services. In the longer term, we aim to put in place a purchaser–provider system which will be sensitive to local needs. This needs primary legislation.

Mr. Simon Hughes: To ask the Secretary of State for Health on what date dentists were first required to register their patients; and when his Department first received information on *(a)* total registrations with dentists and *(b)* total deregistrations by dentists from each family health service authority or equivalent body. [25132]

Mr. Malone: Dentists first registered patients on 1 October 1990, when the current dental contract was introduced.

Information about total registrations of patients with general dental practitioners was first received in December 1990.

Information about the number of deregistrations by general dental practitioners was first collected by the Department in July 1992.

Deregistrations are not a meaningful measure of the availability of national health service dentistry. A dentist may deregister his patients in order to transfer them to another dentist working at the same practice address. These patients still have access to national health service dentistry, but are counted as deregistrations. The arrival of a new dentist to an area may resolve the availability problem in the area, but this will not be reflected in the deregistrations.

Mr. Hughes: To ask the Secretary of State for Health how many (i) children, (ii) adults and (iii) people in total were registered with dentists in each family health service authority in *(a)* February 1993, *(b)* July 1993, *(c)* February 1994, *(d)* July 1994, *(e)* February 1995, *(f)* July 1995 and *(g)* February 1996. [25133]

Mr. Malone: This information will be placed in the Library.

Recruitment

Mr. Timms: To ask the Secretary of State for Health what assessment he has made of the likely difficulties in recruiting health service psychiatrists, physiotherapists and occupational therapists in the next financial year. [23351]

Mr. Malone: The Specialist Workforce Advisory Group has recommended a significant increase in training opportunities for doctors wishing to become consultants. As a result, we are providing additional funding of £5.7 million in 1996–97 which will be targeted at specialties which have the greatest need including psychiatry, old age psychiatry and forensic psychiatry.

In August 1995, the national health service executive issued planning guidance (EL(95)96) recommending that education commissioners should take full account of factors affecting demand for physiotherapists and occupational therapists, including non-NHS demand. As a result, training commissions are planned to rise in 1996–97 by around 12 per cent. for physiotherapists and around 5 per cent. for occupational therapists.

Yorkshire Regional Health Authority (Land Panel)

Mr. Barron: To ask the Secretary of State for Health if he will list, for each year between 1987 and 1993, the

members of the former Yorkshire regional health authority's land panel; and if he will make a statement on the role of the panel. [23683]

Mr. Malone: The land panel of the former Yorkshire regional health authority was set up in accordance with guidance issued by the Department of Health under the heading of Estatecode 1989. The aim embodied in the guidance was to provide advice to health authorities on general estates matters and specific transactions—particularly those involving complex or contentious issues. The land panel provided advice to the regional health authority. The panel has since been abolished. Details of individual membership of the former land panel are not available from public records.

Redundancies

Mr. Blunkett: To ask the Secretary of State for Health what guidelines his Department issued on the remuneration of staff made redundant as a result of the abolition of regional health authorities. [24626]

Mr. Malone: Arrangements for redundancy for national health service staff employed in regional health authorities on national terms and conditions of service are set out in section 45 of the General Whitley Council handbook. Guidance on severance payments for general and senior managers on short term rolling contracts was issued in circular HSG(94)18. Copies of the documents are available in the Library.

Tuberculosis

Mr. Simon Hughes: To ask the Secretary of State for Health, pursuant to his answer of 28 March, *Official Report*, columns *746–47*, how many cases of multi-drug resistant TB have been identified in *(a)* London and *(b)* England and Wales in each of the last five years; and what action has been taken to monitor and control this new strain. [24774]

Mr. Horam: For the most recent available figures for the United Kingdom, I refer the hon. Member to the reply that I gave to the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) on 2 April columns *181–82*. Regional information was not routinely collected. A new system, started in 1994, should provide more detailed regional information.

Mr. Hughes: To ask the Secretary of State for Health, pursuant to his answer of 28 March, *Official Report*, columns *746–47*, how many TB cases have been identified; and how many TB-related deaths there have been in (i) London and (ii) England and Wales in each of the last 10 years. [24772]

Mrs. Lait: To ask the Secretary of State for Health what has been the number of notifiable cases of TB in each year since 1975. [25258]

Mr. Horam: The number of notifications of tuberculosis for both Greater London and England and Wales are published in table 5 of the annual reference volume "MB2 Communicable Disease Statistics". Copies are available in the Library. The latest year published is 1993. Data for 1994 and 1995 are shown in the table:

Number of notifications of tuberculosis (excluding chemoprophylaxis)

	1994	*1995*[1]
Greater London	2,077	2,042
England and Wales	5,590	5,606

[1] Provisional.

The number of deaths from tuberculosis of residents of England and Wales from 1985 to 1992 can be found in "Mortality statistics: area", series DH5, volumes 12 to 19, copies of which are available in the Library. Figures for 1995 are not yet available. The figures for 1993 and 1994 are:

	1993	*1994*
Greater London	86	110
England and Wales	507	497

These figures include all forms of tuberculosis, including respiratory, pulmonary, and mediastinal and late effects from tuberculosis originally caught some years earlier.

Mr. Hughes: To ask the Secretary of State for Health, pursuant to his answer of 28 March, *Official Report*, columns *746-47*, (1) what assessment he has made of the risk of persons infected with TB entering the United Kingdom; to what extent that risk has changed in the last five years; and if he will make a statement; [24771]

(2) what measures have been taken in the last 12 months to reduce the risk of carriers of TB from entering the country. [24773]

Mr. Horam: Information on how many people have tuberculosis when they arrive in the United Kingdom is not available. For details about the steps that we are taking to deal with the risk, I refer the hon. Member to the reply that I gave the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) on 2 April at columns *180-81*.

Heart Valves

Mr. Alan Howarth: To ask the Secretary of State for Health what *(a)* agency and *(b)* department was responsible for the purchase by the national health service of Bjork Shiley heart valves between 1979 and 1986; where these valves were delivered and centrally stored when imported; what records were kept detailing serial numbers of the valves and to which hospital batches of valves were despatched; what procedures, including record keeping were followed by them on the occasions when the manufacturers or distributors recalled certain valves; and what is his policy for making this information available to next of kin or other relatives of national health service patients who received an implanted Bjork Shiley heart valve in this period and subsequently died. [24585]

Mr. Horam: Responsibility for the purchase of medical devices, including heart valves, rested with local health authorities and hospitals. The delivery and storage of imported valves was a matter for the United Kingdom sales office of the manufacturer, Shiley Inc, and information is not available centrally. Responsibility for keeping records of valves delivered to hospitals, and for implementing appropriate recall procedures rests with the manufacturer involved. As part of Shiley's recall of Bjork-Shiley convexo-concave heart valves, they provided advice to relevant cardiothoracic surgeons and cardiologists, which included list of serial numbers for valves delivered to their hospitals. The Department provided further independent advice to health service professionals across the UK to assist them in making informed decisions about patient management. Our policy remains that clinicians are in the best place to provide advice to individual patients and their next of kin, in the light of personal circumstances.

NHS-wide Network

Mr. Cohen: To ask the Secretary of State for Health on what basis AT and T Istel has been chosen to operate the NHS-wide network; on what basis its employees or managers will have access to personal data; and if he will make a statement. [24628]

Mr. Horam: AT and T Istel was chosen to operate the NHS-wide clearing service—not the network—by competitive tender under the private finance initiative. Its managers and employees are contractually bound to main the confidentiality of data passing through the clearing service, and will have no access to it.

Mr. Cohen: To ask the Secretary of State for Health if he will make a statement about proposed security arrangements for the NHS-wide network to avoid unauthorised access and the misuse of data from the network. [24635]

Mr. Horam: The arrangements to avoid unauthorised access to the NHS-wide network and prevent misuse of data are set out in the data networking security policy and codes of connection. These require any person or organisation seeking access to the network to sign a contractual undertaking to abide by proper security procedures, and to limit access to authorised users with acceptable national health service purposes. The documents were published with NHS executive letter (95) 108, copies of which are available in the Library.

Mr. Cohen: To ask the Secretary of State for Health what links are proposed between the NHS-wide network and information technology elsewhere within Government; and if he will make a statement. [24630]

Mr. Horam: The NHS-wide network is separate from the Department of Health's network and from all other central Government networks. Access from anywhere outside the NHS, including from Government Departments, will be subject to the requirements of the security policy. Access is allowed only to those who use the network for approved NHS purposes.

Mr. Cohen: To ask the Secretary of State for Health if he will now place in the Library the findings of the study by Zergo Consulting for the NHS information management group about the NHS-wide network; and if he will make a statement on his response. [24634]

Mr. Horam: The report on the study by Zergo Consulting entitled "The Use of Encryption and Related Services with the NHS net" was published on 11 April 1996. Copies are available in the Library.

Mr. Cohen: To ask the Secretary of State for Health what restrictions are proposed to the selling off of data from the NHS-wide network; and if he will make a statement. [24629]

Mr. Horam: There are no plans to sell any data from the NHS-wide network.

Mr. Cohen: To ask the Secretary of State for Health when he consulted the Data Protection Registrar about arrangements for the NHS-wide network; and if he will make a statement. [24636]

Mr. Horam: The Data Protection Registrar has been consulted at all stages in the development of plans for the NHS-wide network and during its implementation.

General Practitioners (Premises)

Mr. Timms: To ask the Secretary of State for Health, pursuant to his answer of 29 March, *Official Report*, column *781*, what information his Department collates on the condition of general practitioners' premises in London. [24770]

Mr. Malone: Annual information is collected, by health authority, on premises below minimum standards.

Osteoporosis

Mr. Matthew Banks: To ask the Secretary of State for Health what percentage of women over the age of 55 years are estimated by his Department to suffer from osteoporosis; what percentage of women will contract the illness on current trends during their lifetime; and if he will make a statement. [24618]

Mr. Horam: Information on the number of women suffering from osteoporosis is not available centrally. The report of the advisory group on osteoporosis suggested that 22 per cent. of women over 50 have low bone density-osteopenia. This can lead to the development of osteoporosis. A copy of the report has been placed in the Library.

Paramedics

Mr. Llwyd: To ask the Secretary of State for Health how many qualified paramedics there are per head of population in *(a)* Wales, *(b)* Scotland, *(c)* England, *(d)* Northern Ireland and *(e)* the United Kingdom; and if he will make a statement. [24594]

Mr. Horam: These figures are not routinely collected centrally, but an informal survey in England showed that there were 6,250 paramedics at 31 January 1996–1.28 per 10,000 population.

Figures relating to Wales, Scotland and Northern Ireland are matters for my right hon. Friends the Secretaries of State for Wales and for Scotland and my right hon. and learned Friend the Secretary of State for Northern Ireland.

Drug Abuse

Mr. Milburn: To ask the Secretary of State for Health how many young people died in each of the last five years from abuse of *(a)* legally prescribed drugs and *(b)* illegal drugs. [25152]

Mr. Bowis: It is not possible to differentiate between legally prescribed drugs and illegal drugs. The number of deaths from drug misuse in England and Wales among those aged under 25 in the years 1990–92 are shown in the table.

Year	*Deaths from drug misuse*
1990	353
1991	362
1992	364

Source:
International Classification of Diseases 9th revision codes 304 (drug dependence), 305.2–305.9 (non-dependent abuse of drugs), 960–979 (poisoning by drugs, medicaments and biological substances).

Deaths for 1992 and earlier years represent the number of deaths registered in each year. New procedures for coding cause of death from 1993, and the absence of medical inquiries, mean that figures for 1993 onwards may not be comparable with earlier years. The figures for 1993 and 1994 were 387 and 433 respectively. More details may be found in OPCS series DH2 for 1993, which was published in October 1995; copies are available in the Library.

Year	*Deaths*[1]
1990	2,055
1991	2,068
1992	2,299
1993	2,272
1994	2,427

[1] This comprises International Classification of Diseases 9th revision codes 304 (drug dependence), 305.2—305.9 (non-dependent abuse of drugs), 960–979 (poisoning by drugs, medicaments and biological substances).

Mr. Flynn: To ask the Secretary of State for Health what research his Department has evaluated into the mechanism by which Ecstasy killed each victim of the drug in each of the last five years. [24835]

Mr. Bowis: The Department of Health has not carried out a formal evaluation of research in this area, but maintains close contact with a number of experts on Ecstasy-related deaths. We are in the process of drawing up proposals for research on Ecstasy and its effects. The Advisory Council on the misuse of drugs held a meeting to discuss Ecstasy and its effects earlier this year and will advise the Home Department of its findings shortly.

Domestic Accidents

Mr. Nigel Jones: To ask the Secretary of State for Health what was the cost of accidents in the home necessitating hospital treatment for each year for which records are available; and if he will make a statement. [24900]

Mr. Horam: This information is not available.

Mr. Jones: To ask the Secretary of State for Health if he will list by health authority area the number of accidents in the home which necessitated hospital treatment for each year for which records are available; and if he will make a statement. [24901]

Mr. Horam: Information on accidents by health authority area is not available. For information on the number of home accidents in general, I refer the hon. Member to the reply that my hon. Friend the Under-Secretary of State for Competition and Consumer Affairs gave him today.

Regional Health Authority Expenditure

Mr. Bayley: To ask the Secretary of State for Health how much money was spent on furniture, fixtures and fittings by the Yorkshire regional health authority in each year since 1986; how these assets were disposed of; and how much money was raised for the NHS from their sale. [24972]

Mr. Malone: I refer the hon. Member to the reply that I gave him on 29 January, column *528*, which included the total spending on repair, maintenance and upgrading of the headquarters premises of the former Yorkshire regional health authority by year since 1986. The figures included expenditure on fixtures, fittings and furniture. It is not possible to identify expenditure separately under these headings as the definitions of fixtures, fittings and building fabric are not distinct, and no attempt was made to differentiate between them at the time the work was carried out.

Because of the merger and then abolition of the former regional health authorities, some furniture and equipment did become surplus to requirements in Northern and Yorkshire. Any reusable items have been passed on to national health service trusts and health authorities in the area which could make use of them. Some unusable and obsolete furniture and equipment was sold, and produced £38,000 for NHS use.

Mr. Bayley: To ask the Secretary of State for Health how much money was spent on furniture, fixtures and fittings by the Northern regional health authority in each year since 1986; how these assets were disposed of; and how much money was raised for the NHS from their sale. [24967]

Mr. Malone: I refer the hon. Member to the reply that I gave him on 12 February, columns *456–57*, which included the total spending on repair, maintenance and upgrading of the headquarters premises of the former

Northern regional health authority since 1986, including expenditure on fixtures, fittings and furniture. It is not possible to identify expenditure separately under these headings.

Because of the merger and then abolition of former regional health authorities, some furniture and equipment did become surplus to requirements in Northern and Yorkshire. All items proved suitable for reuse, and have been passed on the national health service trusts and health authorities in the area.

Mr. Bayley: To ask the Secretary of State for Health what was the total cost of furnishing, fitting out and decorating the board room at the Yorkshire regional health authority headquarters at Park parade, Harrogate; and how much of the cost has been recouped from the sale of surplus assets. [24973]

Mr. Malone: Work on the board room was carried out as part of the refurbishment of the Queen building at Park parade, Harrogate. I refer the hon. Member to the reply that I gave on 29 January, column *528* in respect of overall expenditure on repair, maintenance and upgrading work on the Park parade site by year. It is not possible to identify separately expenditure either on a specific area of the building or on a particular sub-category of the work.

I refer the hon. Member to the replies I gave him today for information regarding the disposal process for any assets surplus to requirements following the merger and then abolition of regional health authorities. Any reusable assets have been passed to national health service trusts and health authorities in the area which could make use of them. Some obsolete and unusable items were sold, yielding a total of £38,000 for the NHS. It is not possible to identify which, if any, of these items may have had some former link with the board room at Park parade.

Mr. Bayley: To ask the Secretary of State for Health how much money *(a)* has been spent and *(b)* will be spent on furniture, fixtures and fittings for the new Northern and Yorkshire regional offices of the NHS executive at Mountjoy science park. [24971]

Mr. Malone: It is not possible to differentiate expenditure on fixtures and fittings from that on building fabric. I refer the hon. Member to the reply I gave him on 1 February at columns *919–20* for information on the total expenditure on the Durham offices of the national health service executive, Northern and Yorkshire, including fixtures and fittings.

Total expenditure on furniture amounts to £2,000 for some smaller filing cabinets, necessary because of the reduced provision of space in the new accommodation compared with the former offices. All other furniture will be taken from that previously in use in the former Harrogate and Newcastle offices.

Waiting Lists

Mr. Milburn: To ask the Secretary of State for Health, pursuant to his answer of 2 April, at column *190*, how many people have been removed from waiting lists by region in each quarter since 1992. [25241]

Mr. Horam: The table shows for each region, the special health authorities and England as a whole, the number of removals from waiting lists and—for England as a whole—the total number of decisions made to add patients to waiting lists in each quarter since 1992. Patients may be removed from waiting lists because they have already been treated, because treatment is no longer needed or because they have moved.

Removals from the waiting list—June 1992 to December 1995

Region	June 1992	September 1992	December 1992	March 1993	June 1993	September 1993	December 1993	March 1994
Northern	2,418	2,861	3,704	5,127	3,635	4,331	4,956	5,343
Yorkshire	4,877	5,041	8,348	8,375	8,725	8,280	8,973	10,245
Trent	6,125	5,884	6,514	7,599	7,090	7,893	6,864	7,473
East Anglian	3,975	3,011	4,377	4,733	3,280	4,038	4,033	4,643
North West Thames	10,925	8,489	8,498	8,356	7,804	10,206	8,138	10,071
North East Thames	9,836	9,996	9,506	8,215	9,008	9,059	9,725	10,863
South East Thames	11,599	12,352	13,946	15,461	15,457	13,024	10,110	11,723
South West Thames	5,802	5,816	5,704	5,709	5,124	5,259	5,381	7,168
Wessex	3,974	4,036	4,555	5,568	4,543	5,025	5,432	6,230
Oxford	4,681	5,214	5,378	5,389	4,389	4,620	4,463	5,159
South Western	5,405	5,514	5,860	7,046	5,287	6,068	6,366	7,895
West Midlands	10,525	11,764	10,302	12,647	11,609	11,805	14,459	15,454
Mersey	4,970	5,605	6,360	7,523	6,973	8,747	8,280	8,488
North Western	7,576	9,146	10,321	10,935	10,117	10,568	10,635	11,043
Special Health Authorities	2,052	2,250	2,006	2,518	2,357	2,427	2,869	2,329
England	94,740	96,979	105,379	115,201	105,398	111,350	110,684	124,127
Decisions to admit	836,550	858,452	890,264	895,002	853,524	869,617	862,073	916,501

Region	June 1994	September 1994	December 1994	March 1995	June 1995	September 1995	December 1995
Northern and Yorkshire	12,987	14,014	15,238	19,291	14,314	16,138	16,905
Trent	7,910	7,969	7,915	10,882	8,678	9,653	9,916
Anglia and Oxford	10,806	12,057	10,763	12,663	11,184	12,859	11,709

Region	June 1994	September 1994	December 1994	March 1995	June 1995	September 1995	December 1995
North Thames	20,132	20,898	20,711	22,206	20,899	23,497	24,099
South Thames	22,748	20,191	18,033	19,520	20,986	22,379	23,047
South and West	12,116	12,314	12,599	14,183	12,614	13,795	12,728
West Midlands	15,421	14,972	17,334	21,361	14,296	15,126	16,800
North West	19,937	23,045	22,960	27,113	21,086	22,427	22,131
Special Health Authorities	478	207	173	173	167	140	142
England	122,535	125,667	125,726	147,392	124,224	136,014	137,477
Decisions to admit	919,679	924,721	937,033	983,974	944,241	967,048	1,005,019

Rev. Martin Symth: To ask the Secretary of State for Health what is the average length of the waiting lists for cardiac surgery in hospitals. [24184]

Mr. Horam: Information on numbers of people waiting for treatment by specialty and by national health service trust is contained in "Hospital Waiting List Statistics: England", copies of which are available in the Library.

Nitrates

Mr. Burden: To ask the Secretary of State for Health what representations he has received on the implications of the research by Aberdeen university in 1995 into dietary nitrate intake for the public health consequences of European Commission directives on nitrates in water supplies. [25024]

Mr. Horam: The Department has received an inquiry from one correspondent and two letters from hon. Members on behalf of another correspondent.

Mr. Cash: To ask the Secretary of State for Health what assessment he has made of the latest research on the reasons why babies up to the age of three months are unable to be affected by infantile methaemoglobinaemia from nitrates in diet. [25239]

Mr. Horam: No such research appears to have been published.

Mr. Cash: To ask the Secretary of State for Health, pursuant to his answer of 5 December, *Official Report*, column *177*, what assessment he has made of the latest research into the effect of nitrates in diet and water *(a)* at, *(b)* below and *(c)* in excess of natural levels on human health. [25240]

Mr. Horam: Nitrate in diet and water is not known to be beneficial to health. It is a recognised contributory factor in the causation of infantile methaemoglobinaemia. The addition of nitrate to foods specially prepared for babies and young children is prohibited under the Preservatives in Food Regulations 1989. Concentrations in drinking-water are restricted under the Water Supply (Water Quality) Regulations 1989. After consideration of the toxicological data, most recently in 1995, the Food and Agriculture Organisation/World Health Organisation's joint expert committee on food additives and contaminants, and the European Commission's scientific committee for food, each proposed an acceptable daily intake of up to 3.7 mg of nitrate per kg body weight. This ADI is unchanged from 1992, when it was endorsed by the departmental expert Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment.

Adoption

Mr. Milburn: To ask the Secretary of State for Health how many children have been adopted from each foreign country in each of the last five years. [25153]

Mr. Bowis: This information is not available centrally.

Private Security Guards

Ms Janet Anderson: To ask the Secretary of State for Health if he will make a statement on the use of private security guards in hospitals. [24937]

Mr. Horam: This is a local operational matter, subject to local specification of service requirements.

Mixed-sex Wards

Mr. Harry Greenway: To ask the Secretary of State for Health what progress he has made towards the establishment of a choice between single sex and mixed-sex wards for hospital patients; and if he will make a statement. [23790]

Mr. Horam: A voluntary survey of hospital accommodation in two national health service regions, commissioned by the NHS executive, has recently been completed and the results will be published shortly. A new health building note which will provide advice and guidance on new buildings in the NHS and advice and examples on how to upgrade existing premises to fulfil charter standards is being prepared by NHS Estates. We will be considering whether any further action is required.

British Medical Association

Dr. Lynne Jones: To ask the Secretary of State for Health, pursuant to his answer of 27 February, *Official Report*, column *463*, if he will make a statement on the length of time his Department has taken to respond to the BMA's general medical services committee's letter dated 23 February 1994, and its reminders dated June 1984, August 1994, November 1994, December 1994, January 1995, April 1995, July 1995, September 1995 and December 1995, asking to see a redraft of his Department's guidance to health authorities on good practice in respect of the use of cash-limited funds. [24844]

Mr. Malone: Throughout the period covered by the general medical services committee's letters the use of cash- limited funds has been the subject of complex legal argument culminating in High Court action, Regina *v.* The Secretary of State for Health, ex parte Manchester Local Committee, heard on 27–28 March 1995.

Following the judgment, advice on the proper use of cash-limited funds was given to health authorities on 16 May 1995 and reiterated in subsequent allocation

letters. We shall be considering whether further guidance would be helpful to new health authorities on this issue and, if so, we shall consult GMSC on the content.

Dr. Jones: To ask the Secretary of State for Health, pursuant to his answer of 27 February, *Official Report*, column *463*, when the BMA's general medical services committee can expect a reply to its letter dated November 1991 in respect of considering the financial reimbursement for general practitioners who serve on, and give advice to, NHS purchasing authorities. [24843]

Mr. Malone: Correspondence with the British Medical Association's general medical services committee on this issue has been on-going since November 1991.

Cannabis

Mr. Flynn: To ask the Secretary of State for Health what proposals he has to initiate new research into the use of cannabis or its derivatives for medicinal use. [24838]

Mr. Bowis: None.

Oral Contraceptives

Mr. Simon Hughes: To ask the Secretary of State for Health how long the family planning experts on the Committee on Safety of Medicines were given before the committee's meeting on 13 October 1995 to review the data on third generation oral contraceptives. [24969]

Mr. Malone: The family planning experts who attended the meeting were sent the papers by express courier on 11 October for receipt by 10.30 am the following morning, with the exception of one expert who was aboard at the time and who was provided with a copy of the papers at the earliest opportunity.

Mr. Hughes: To ask the Secretary of State for Health if he will make a statement on discussions between his Department and the British Medical Association on alternatives to the fax cascade system for alerting health professionals to urgent public health information; what is the expected timetable; and when he expects to have a new system in place. [24949]

Mr. Horam: The chief medical officer met the British Medical Association and other medical organisations on 28 February 1996 to discuss arrangements for transmitting urgent communications to doctors and how these might be improved. The current arrangements use an electronic system via telephone lines to transmit urgent messages to directors of public health who then cascade the message to relevant health professionals. Alternative methods were discussed but the profession's representatives did not consider any would improve the present arrangements until the Department is fully connected to the message handling application of the NHS—wide networking system. The technology is now in place for health authorities and other NHS institutions to connect to this system and this is being actively encouraged.

Mr. Hughes: To ask the Secretary of State for Health what discussions *(a)* his Department, *(b)* the Committee on Safety of Medicines and *(c)* the Medicines Control Agency had with the product licence holders of the third generation oral contraceptives which were the subject of the safety warning issued in October 1995, between 4 July and October 1995; and if he will make a statement. [24970]

Mr. Malone: Information about discussions held with pharmaceutical companies about their products is treated in confidence under the Medicines Act 1968.

Asylum Seekers

Ms Glenda Jackson: To ask the Secretary of State for Health to what extent local authorities are reimbursed for costs arising from their obligations to the children of asylum seekers, under the terms of the Children Act 1989. [24975]

Mr. Bowis: I refer the hon. Member to the reply that I gave to the hon. Member for Woolwich (Mr. Austin-Walker) on 19 March at columns *191-92*.

Compliance Cost Assessments

Ms Ruddock: To ask the Secretary of State for Health how many compliance cost assessments were produced by his Department in 1995; and if he will place copies in the Library. [25274]

Mr. Horam: The Department produced six compliance cost assessments in 1995. Copies are available in the Library.

Internal Market

Mr. Spearing: To ask the Secretary of State for Health if he will establish a study of *(a)* the additional paperwork required of general practitioners and their staffs by the introduction and operation of the internal market within the national health service and of means of simplifying and reducing their paper requirements; and if he will seek the co-operation of the principal professional organisations in this study. [25511]

Mr. Malone: The Department of Health has already conducted a study into paperwork in general practice and has acted upon the findings. The report of the efficiency scrutiny into bureaucracy in general practice, "Patients not Paper", published in July 1995, contains recommendations which when implemented will substantially reduce bureaucracy in general practice. About 17 million forms per year will be abolished from 1 July 1996, when some of the recommendations are implemented.

Health Authority Contracts

Mr. Spearing: To ask the Secretary of State for Health if he will list the names of district health authorities which are in dispute, or have not yet agreed, with any of their principal health trust providers contracts for the year 1996–97, within each case *(a)* the name of the providing trust, *(b)* the reason for the delay and *(c)* arrangements made for arbitration and its likely timetable; and what assessment he has made of the consequential effects on patients of (i) GP fundholders and (ii) GP non-fundholders in each case. [25510]

Mr. Horam: Information on health service contracts agreed by health authorities for 1996–97 is being collected and will be placed in the Library. Information by individual providers is not available centrally.

Patients come first and they will continue to be treated on the basis of clinical need. There is no question of patients not being treated or treatment being delayed because of the contracting process. Health authorities and fundholders are charged with ensuring that the contracting process works to the best interest of patients locally.

Written Answers to Questions

Wednesday 17 April 1996

SCOTLAND

Lateral Epicondylitis

Mr. Galbraith: To ask the Secretary of State for Scotland if he will list the number of people *(a)* discharged from hospital and *(b)* referred to outpatient clinics with the diagnosis of lateral epicondylitis in each of the last five years. [24203]

Lord James Douglas-Hamilton: The information available centrally does not separately identify lateral epicondylitis, also known as "tennis elbow". The condition is one of a group—ICD9 726.3—under the general heading of enthesopathy of the elbow region. The information excludes admission by transfer from another specialty or hospital. Information relating to the year ended 31 December 1995 is provisional.

(a) The number of hospital discharges in Scotland is as follows:

Year ending 31 December

	Number
1991	377
1992	424
1993	382
1994	461
1995	437

(b) Information on diagnostic reason for referral to an out-patient clinic is not centrally available.

Prisoners (Transfers)

Mr. Corbett: To ask the Secretary of State for Scotland what are the arrangements by which residents of Scotland, and foreign nationals convicted of criminal offences in Scotland, may apply for transfer to their home countries to complete their sentences; and how many such transfers have been made, by country, in each of the last five years. [24389]

Lord James Douglas-Hamilton *[holding answer 2 April 1996]:* The subject of the question relates to matters undertaken by the Scottish Prison Service. I have asked its chief executive, Mr. E. W. Frizzell, to arrange for a reply to be given.

Letter from E. W. Frizzell to Mr. Robin Corbett, dated 17 April 1996:

Lord James Douglas-Hamilton has asked me to reply to your question relating to the arrangements by which residents of Scotland, and foreign nationals convicted of criminal offences in Scotland, may apply for transfer to their home countries to complete their sentences and how many such transfers have been made, by country, in each of the last five years.

Such prisoners may apply for transfer under the Repatriation of Prisoners Act 1984 which makes it possible in certain circumstances for foreign nationals whose home country has signed and ratified the Council of Europe Convention on the Transfer of Sentenced Persons to be transferred back to their own country to serve the remainder of their sentence. No transfers from Scotland under these arrangements, have taken place in the last five years.

Legal Aid

Mr. McFall: To ask the Secretary of State for Scotland if he will list the 20 solicitors companies in rank order which have received the most money from the Scottish Legal Aid Board and the amount paid to them in each of the past five years. [24872]

Lord James Douglas-Hamilton: We have ascertained from the Scottish Legal Aid Board that detailed information regarding payments to solicitors' firms is available only for the past two financial years. The information, which has been supplied by the board, is set out in the tables and exclude outlays and payments to advocates.

The ranking reflects the size of the firm and the number of fee-earning solicitors, among other factors.

Table 1: Fees payments to firms 1994–95

Rank 1994–95		*Total for 1994–95 £*
1	Ross Harper and Murphy	3,316,806.51
2	More and Co.	1,707,959.83
3	Bruce Short and Co.	1,622,307.08
4	Ian McCarry	1,385,988.83
5	Gordon Thomson and Co.	1,237,819.29
6	Blair and Bryden	1,222,292.28
7	George Mathers and Co.	1,184,485.15
8	Gilfedder and McInnes	1,123,296.91
9	Gallen and Co.	1,120,034.59
10	Grady and Co.	1,084,417.05
11	Adams	998,066.47
12	Drummond Miller	992,831.18
13	Robert Kerr	974,405.69
14	Livingstone Brown	896,895.50
15	McKay and Norwell	895,317.27
16	J C Hughes and Co.	879,920.98
17	Turnbull McCarron	854,051.46
18	Sinclairs	799,767.33
19	Milligan Telford and Morrow	762,136.74
20	McCourts	736,095.95

Table 2: Fees payments to firms 1995–96

Rank 1995–96		*Total for 1995–96 £*
1	Ross Harper and Murphy	3,342,356.89
2	Bruce Short and Co.	1,379,641.85
3	Ian McCarry	1,233,680.24
4	George Mathers and Co.	1,191,677.25
5	More and Co.	1,154,260.29
6	Drummond Miller	1,145,386.66
7	Blair and Bryden	1,101,305.85
8	Gilfedder and McInnes	1,093,197.87
9	Adams	1,064,015.43
10	Robert Kerr	1,036,861.54
11	Turnbull McCarron	969,490.77
12	Livingstone Brown	946,357.95
13	Gallen and Co.	934,267.01
14	Gordon Thomson and Co.	901,707.41
15	Ness Gallagher and Co.	868,250.11
16	Sinclairs	867,449.20

Table 2: Fees payments to firms 1995–96

Rank 1995–96		*Total for 1995–96* £
17	J C Hughes and Co.	858,152.55
18	McKay and Norwell	831,929.28
19	Grady and Co.	816,362.06
20	Caesar and Howie	801,621.11

Creutzfeldt-Jakob Disease

Mr. McAllion: To ask the Secretary of State for Scotland what steps he has taken to ensure that a proper record is maintained of the number of people dying from Creutzfeldt-Jakob disease and that public access to those records is ensured. [23811]

Lord James Douglas-Hamilton: Monitoring of the incidence of and mortality associated with Creutzfeldt-Jakob Disease is the responsibility of the Government-funded national CJD surveillance unit. The unit produces an annual report, which is published. Copies are placed in the Library. The records of individual patients with CJD are subject to the normal rules of medical confidentiality.

National Audit Office

Mr. Byers: To ask the Secretary of State for Scotland how many files marked "Not for National Audit Office Eyes" are currently held by his Department. [24862]

Lord James Douglas-Hamilton: There are 197 files in my Department out of a total of 1,134,270 marked "Not for National Audit Office Eyes".

The marking "Not for NAO eyes" is used in accordance with an agreement between the Treasury and the National Audit Office, under which documents relating to the handling of relations between Departments and the NAO and Public Accounts Committee are not automatically available to the NAO while they are current.

Fossil Fuel Levy

Mr. David Shaw: To ask the Secretary of State for Scotland if he has set the fossil fuel levy rate for Scotland for the current financial year. [25866]

Mr. Kynoch: My right hon. Friend has set the levy rate for the period up to 31 March 1997 at half of 1 per cent. This levy will be paid in the first instance by all electricity suppliers in Scotland on electricity generated from fossil fuel sources and electricity generated under the Scottish Renewables Obligation.

The moneys raised will support the generation of electricity from new renewables sources in Scotland under the first Scottish renewables obligation. Projects that will be supported by the levy include small hydro schemes, wind farms, and schemes for generating electricity from waste gas from landfill sites.

The cost of the levy to the public electricity suppliers, ScottishPower and Scottish Hydro-Electric, is expected to be passed through to electricity consumers. The increase to individual's bills will be in the region of half the levy rate because only a proportion of consumers' electricity is generated from fossil fuel sources.

Executive Action

Mr. Gordon Prentice: To ask the Secretary of State for Scotland if he will list those areas of Executive action where he has discretion to act in respect of an individual without giving reasons for his decision. [20535]

Lord James Douglas-Hamilton *[holding answer 26 March 1996]:* Records are not kept in the form requested, but in the vast majority of cases where the Secretary of State is empowered to take a decision in respect of an individual, there is no express provision which either requires him to give reasons or which provides that he should not do so.

DUCHY OF LANCASTER

National Audit Office

Mr. Byers: To ask the Chancellor of the Duchy of Lancaster how many files marked "Not for National Audit Office Eyes" are currently held by his Department. [24853]

Mr. Willetts: The marking, "Not for NAO Eyes" is used in accordance with an agreement between the Treasury and the National Audit Office under which documents relating to the handling of relations between Departments, the NAO and the Public Accounts Committee are not automatically available to the NAO whilst they are current. Eighty-six Cabinet Office and Office of Public Service files are so designated.

LORD CHANCELLOR'S DEPARTMENT

National Audit Office

Mr. Byers: To ask the Parliamentary Secretary, Lord Chancellor's Department how many files marked "Not for National Audit Office Eyes" are currently held by his Department. [24856]

Mr. Jonathan Evans: There are 84 files in the Lord Chancellor's Department, out of a total of 122,765, marked "Not for NAO Eyes". These refer to individual file parts. For each NAO study a number of divisions may be involved and each may possess a file with a number of parts.

The marking "Not for NAO Eyes" is used in accordance with an agreement between the Treasury and the National Audit Office under which documents relating to the handling of relations between Departments and the NAO and Public Accounts Committee are not automatically available to NAO while they are current.

ENVIRONMENT

Gas Installations

Mr. Byers: To ask the Secretary of State for the Environment what plans he has to empower landlords to enter their property to ensure the maintenance and safety of gas installations in their property. [24567]

Sir Paul Beresford: The gas appliance and fuel maintenance and annual safety check requirements enjoined on landlords by the Gas Safety (Installation and Use) Regulations 1994, as amended, do not include a right of entry for landlords to property let by them, and the Government have no plans to introduce such a right into these regulations. However, where the landlord has repairing obligations, a right of access will be implied by the Landlord and Tenant Act 1985, or the Housing Act 1988.

Benzene Emissions

Dr. Michael Clark: To ask the Secretary of State for the Environment what assessment he has made of the potential impact of benzene emissions in relation to forecast sales of lead replacement gasoline; and what assessment he has made of the advantages of banning the sale of super-unleaded fuel on the basis of its aromatic content. [24787]

Mr. Clappison: The proportion of unleaded petrol used in the UK will increase as the proportion of cars equipped with catalytic converters grows. This increase will in turn lead to substantial reductions in benzene emissions over present levels.

The last budget increased the fuel duty on petrol and diesel by 3½p per litre. Duty on road fuel gases was reduced by 15 per cent. in recognition that they are relatively cleaner fuels. The duty on super-unleaded petrol will increase by a further 4p per litre in May in recognition that its use, in cars without catalysts, can lead to higher emissions of benzene than other petrols.

Animal Species

Mr. Llwyd: To ask the Secretary of State for the Environment how many animal species which are native to the United Kingdom were considered to be at risk in *(a)* 1985, *(b)* 1990 and *(c)* 1995; and if he will make a statement. [24604]

Mr. Clappison: Statistics for native animals at risk have been drawn from the digest of environmental statistics, published annually by the Department of the Environment, which lists the number of native animals and categorises them as endangered, vulnerable or rare according to the International Union for the Conservation of Nature red data criteria, or as being nationally scarce. These are termed at risk in that publication.

It should be noted that comparisons between years may not be valid because of changes in the methods of assessing risk.

Native species at risk

	Number endangered	*Number vulnerable*	*Number rare*	*Number nationally scarce*
1985	532	407	857	n/a
1990	280	168	389	n/a
1995[1]	577	407	726	2,572

[1] Comparable figures for mammals and birds are not included because their threat status is now considered in the international rather than the national context.

Plants

Mr. Llwyd: To ask the Secretary of State for the Environment how many plant species which are native to the United Kingdom were assessed by his Department to be at risk in *(a)* 1985, *(b)* 1990 and *(c)* 1995; and if he will make a statement. [25016]

Mr. Clappison: Statistics for native vascular plants at risk have been drawn from the digest of environmental statistics, published annually by the Department of the Environment, which lists the number of native plants, and which until 1994 categorised them as endangered, vulnerable or rare according to the International Union for the Conservation of Nature red data book criteria.

	1985	*1990*
Endangered	51	51
Vulnerable	93	93
Rare	154	154

Statistics compiled for the 1995 digest were based on revised IUCN red list risk assessment criteria, and are not therefore directly comparable.

	1995
Critically endangered	16
Endangered	45
Vulnerable	132
Near threatened	109

Landfill Tax

Mr. Steen: To ask the Secretary of State for the Environment what representations he has had from small building firms as to the impact of the landfill tax on the future business prospects. [23936]

Mr. Clappison: Representations have been received from the construction industry, including the House Builders Federation, the Building Employers Confederation and others. The Government have had discussions with those interested bodies, and continue to consider representations made as arrangements for the landfill tax are being implemented.

National Audit Office

Mr. Byers: To ask the Secretary of State for the Environment how many files marked "Not for National Audit Office Eyes" are currently held by his Department. [24850]

Sir Paul Beresford: There are 269 files currently marked "Not for National Audit Office Eyes" out of a total number of 1,461,000 files held in my Department.

The marking "Not for National Audit Office Eyes" is used in accordance with an agreement between the Treasury and the National Audit Office, under which documents relating to the handling of relations between Departments and the National Audit Office and Public Accounts Committee are not automatically available to the National Audit Office while they are current.

"Going for Green" Initiative

Mr. Congdon: To ask the Secretary of State for the Environment what arrangements are now in place for operating the "Going for Green" initiative. [25850]

Mr. Gummer: The "Going for Green" advisory committee came to the end of its life on 31 March 1996. A private company limited by guarantee, Going for Green Ltd. has been established. The company took on responsibility for running the "Going for Green" campaign from 1 April 1996 and has agreed a programme of work with my Department.

In 1996–97 my Department will make available to Going for Green Ltd. £500,000 core grant; £300,000 for area projects and up to £700,000 to match private sector sponsorship income on a 50:50 basis. This level of grant support recognises the value of Going for Green Ltd.'s work to the Government's strategy on sustainable development. We intend to make up to £1.5 million available to Going for Green Ltd. in 1997–98 and in 1998–99.

TREASURY

Self-assessment

Mrs. Helen Jackson: To ask the Chancellor of the Exchequer what assessment he has made of the cost to small firms of self-assessment for the purpose of taxation. [23932]

Mr. Jack: Self-assessment is a major modernisation of the system of tax administration that will provide a permanent reduction for taxpayers in the costs of complying with their obligations. The changes will particularly benefit self-employed people. A compliance cost assessment detailing the estimates leading to this conclusion was published on 28 November 1994. A copy is available in the House Library.

It contains the following summary figures: self-assessment generates a recurrent compliance net saving for businesses, mainly the self-employed, of some £125 to £250 million a year; this figure takes account of recurrent costs to employers who provide benefits to employees estimated at £20 million to £30 million a year; initial costs of adapting to the new system are estimated at £100 million to £200 million; and the typical small self-employed business which does not provide benefits in kind to employees could expect recurrent savings of £30 to £60 a year, more than offsetting the non-recurrent cost in a single year.

National Audit Office

Mr. Byers: To ask the Chancellor of the Exchequer how many files marked "Not for National Audit Office Eyes" are currently held by his Department. [24858]

Mrs. Angela Knight: There are 385 files in the Treasury, out of a total of 191,420, marked "Not to be seen by NAO without reference to the appropriate Head of Division".

These figures refer to individual jackets and parts of files. For each NAO study, several divisions in different locations may be involved and each may possess a file with a number of parts. The marking "Not for NAO Eyes" is used in accordance with an agreement between the Treasury and the NAO under which documents relating to the handling of relations between Departments and the NAO and Public Accounts Committee are not automatically available to the NAO while they are current.

Compliance Cost Assessments

Ms Ruddock: To ask the Chancellor of the Exchequer how many compliance cost assessments were produced by his Department in 1995; and if he will place copies in the Library. [25270]

Mr. Jack *[holding answer 16 April 1996]:* The Chancellor's Departments produced 15 compliance cost assessments during 1995, in connection with the following measures. In each case, a copy of the assessment was placed in the Library at the time it was presented to Parliament.

HM Treasury

The Financial Markets and Insolvency (Money Market) Regulations 1995

The Investment Services Directive (EEC/22/93) and the Capital Adequacy Directive (EEC/6/93)

HM Customs and Excise

Approval of Inland Clearance Depots

Landfill Tax

Excise: Two Band Duty Structure for Cider

VAT: Groups (preliminary assessment)

VAT: Change to Tour Operators Margin Scheme

VAT: Annual Returns and Annual Payments for Small Businesses Registered for VAT

VAT: Changes to the Payments on Account Scheme for Large VAT Payers

VAT: Implementation of the Second VAT Simplification Directive: Fiscal Warehousing and other Technical Changes

VAT: Extension of the Special Accounting System for Gold

VAT: Credit Notes

Inland Revenue

Reform of the Taxation of Gilts and Bonds

Proposed Changes to the Construction Industry Tax Deduction Scheme: Registration Cards

Gilt Repo Regulations

Corporation Tax

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what is his estimate of the annual yield to Her Majesty's Treasury from corporation tax levied on chargeable gains in the latest year for which figures are available. [21965]

Mr. Jack *[holding answer 21 March 1996]:* The yield of corporation tax on chargeable gains in 1993–94, the latest year for which reasonably complete information is available, is provisionally estimated to be £250 million. In addition, capital gains tax on individuals raised some £700 million.

Labour Statistics

Mr. Jim Cunningham: To ask the Chancellor of the Exchequer how many unemployed (i) male and (ii) female 16 to 24-years-olds in the west midlands have *(a)* never been employed and *(b)* been unemployed for more than one year. [25001]

Mrs. Angela Knight: Information for the west midlands is available from the labour force survey for autumn—September to November—1995 and is shown in the table, not seasonally adjusted.

	Male	*Female*
ILO unemployed 16–24 year olds of which:	47,000	23,000
Never been in paid employment	20,000	12,000
Been unemployed for one year or more	13,000	[1]—

[1] Estimate below 10,000 not shown.

Mr. Bradley: To ask the Chancellor of the Exchequer if he will break down the seasonally adjusted spring totals of the economically inactive population between 1979 and 1995 as shown in table 7.1 of labour market trends to show the separate totals of men and women who are *(a)* retired, *(b)* housewives, *(c)* under 16-year-olds, *(e)* long-term sick and disabled and *(f)* others. [25320]

Mrs. Knight: It is not possible to provide a breakdown of the seasonally adjusted economically inactive data. However, a breakdown of the unadjusted economically inactive data into *(a)* retired, *(b)* people looking after the family home, *(c)* under 16 years, *(d)* long-term sick and or disabled and *(e)* others can be obtained via the quantime labour force survey available in the Library.

Earnings Statistics

Mr. Jim Cunningham: To ask the Chancellor of the Exchequer how many employees in the west midlands earned (i) less than £1.50 an hour, (ii) between £1.50 and £2.50 an hour, (iii) between £2.50 and £3.50 an hour, (iv) between £100,000 and £250,000 per annum and (v) more than £250,000 per annum in 1995 prices, in each year since 1979. [24998]

Mrs. Angela Knight: Information from the new earnings survey 1986 to 1995 is shown in the table. Data for the years prior to 1986 can be retrieved only at disproportionate cost.

New Earnings Survey—April of each year (West Midlands)

Year	*1986*	*1987*	*1988*	*1989*	*1990*	*1991*	*1992*	*1993*	*1994*	*1995*
Percentage of employees earning less than £1.50 per hour in 1995 prices										
£1.50 in 1995 =	£0.98	£1.02	£1.07	£1.15	£1.26	£1.34	£1.40	£1.42	£1.45	£1.50
Percentage in earnings band	0.2	0.2	0.2	0.2	0.1	0.2	0.2	0.2	0.3	0.9
Percentage of employees earning between £1.50 and £2.50 per hour in 1995 prices										
£1.50 in 1995 =	£0.98	£1.02	£1.07	£1.15	£1.26	£1.34	£1.40	£1.42	£1.45	£1.50
£2.50 in 1995 =	£1.64	£1.71	£1.78	£1.92	£2.10	£2.23	£2.33	£3.36	£2.42	£2.50
Percentage in earnings band	1.6	1.4	1.2	1.0	1.1	1.0	1.0	0.6	0.7	1.1
Percentage of employees earning between £2.50 and £3.50 per hour in 1995 prices										
£2.50 in 1995 =	£1.64	£1.71	£1.78	£1.92	£2.10	£2.23	£2.33	£3.36	£2.42	£2.50
£3.50 in 1995 =	£2.29	£2.39	£2.49	£2.68	£2.94	£3.13	£3.26	£3.30	£3.39	£3.50
Percentage in earnings band	13.6	12.2	11.8	10.7	11.1	10.0	8.7	7.8	7.9	8.4
Percentage of employees earning between £100,000 and £250,000 per year in 1995 prices[1]										
£100,000 in 1995 =	£65,549	£68,322	£71,007	£76,711	£83,960	£89,329	£93,154	£94,362	£96,779	£100,000
£250,000 in 1995 =	£163,872	£170,805	£177,517	£191,779	£209,899	£223,322	£232,886	£235,906	£241,946	£250,000
Percentage in earnings band	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1
Percentage of employees earning more than £250,000 per year in 1995 prices[1]										
£250,000 in 1995 =	£163,872	£170,805	£177,517	£191,779	£209,899	£223,322	£232,886	£235,906	£241,946	£250,000
Percentage in earnings band	[2]—	[2]—	[2]—	[2]—	[2]—	[2]—	[2]—	[2]—	0.1	0.1

[1] Annual earnings are estimated by multiplying weekly earnings by 52.14.
[2] No cases in sample.
1995 prices are deflated using the April Retail Prices Index.
Employees on adult rates, whose pay for the survey period was unaffected by absence.

Capital Costs (Industry)

Mr. Spellar: To ask the Chancellor of the Exchequer what is his Department's estimate of the cost of capital to industry in the United Kingdom; and what are the figures for *(a)* the United States of America, *(b)* Germany and *(c)* Japan. [25386]

Mrs. Angela Knight: There is no universally accepted method for calculating the cost of capital to industry as a whole. All estimates are subject to conceptual and measurement problems, and international comparisons are especially difficult.

Public Sector Borrowing Requirement

Mr. MacShane: To ask the Chancellor of the Exchequer what is his estimate for the PSBR for the rest of 1996; and how this compares with projections in the 1995 Budget Red Book. [25358]

Mr. Waldegrave: The Budget forecast of the public sector borrowing requirement for 1996–97 was £22½ billion. PSBR forecasts are published only for financial years. The PSBR forecast will be updated in the Treasury's summer economic forecast.

Mr. MacShane: To ask the Chancellor of the Exchequer what is the expected percentage increase in the PSBR in the financial year 1996–97. [25357]

Mr. Waldegrave: The Budget forecast of the public sector borrowing requirement for 1996–97 was £22½ billion, a reduction of 23 per cent. compared with the forecast for 1995–96.

European Central Bank

Mr. Llew Smith: To ask the Chancellor of the Exchequer what powers the Council of Ministers has to remove a member of the European central bank before the expiry of the eight-year term of appointed office. [24538]

Mrs. Angela Knight: Article 11.2 of the Statute of the European System of Central Banks states that the term of office of members of the Executive Board of the European Central Bank "shall be eight years and shall not be renewable".

The Council of Ministers has no powers to remove a member of the executive board once he or she is appointed, although it plays a role in the appointment of members. In accordance with article 11.4, "if a member of the Executive Board no longer fulfils the conditions required for the performance of his duties or if he has been guilty of serious misconduct, the Court of Justice may, on application by the Governing Council or the Executive Board, compulsorily retire him".

Equal Opportunities

Mr. David Shaw: To ask the Chancellor of the Exchequer what amounts of money have been paid out by *(a)* his Department and *(b)* executive agencies, non-departmental public bodies and other organisations for which he is accountable to Parliament, to how many staff or former staff in respect of (i) alleged equal opportunities breaches which do not proceed to tribunals or courts and (ii) equal opportunities breaches which proceeded to tribunals or courts in (1) the current year and (2) the two previous years. [22510]

Mr. Waldegrave: My Department has not made any payments under either category in this or the previous two years. Executive agencies, non-departmental public bodies and other organisations for which I am responsible to Parliament and for which information is available have paid a total of £18,500 in respect of six cases that did not proceed to tribunals or courts in the previous two years. No compensation has been awarded as a result of any cases which proceeded to tribunals or courts in this or the previous two years.

DEFENCE

Cyprus (Service Personnel)

Mr. Cox: To ask the Secretary of State for Defence what has been the cost to the British Government of the trial of the three military personnel convicted of the manslaughter of a Danish tour guide in Cyprus; and if he will make a statement. [24559]

Mr. Soames: I refer the hon. Member to the reply I gave on 3 April to the hon. Member for Delyn (Mr. Hanson), *Official Report*, column 262.

Mr. Cox: To ask the Secretary of State for Defence (1) when a Minister from his Department will visit Cyprus to discuss with the Cyprus Government and senior military personnel the behaviour of British forces when off-duty on the island of Cyprus; [24563]

(2) what discussions he plans to have with *(a)* the Commander-in-Chief of British Forces, Cyprus, and *(b)* the Government of Cyprus in respect of the conviction of three British service personnel of the manslaughter of a Danish tour guide. [24561]

Mr. Soames: My right hon. Friend the Secretary of State for Defence plans to make a short visit to the sovereign base areas in Cyprus towards the end of May. While in Cyprus, he will discuss a number of issues, including the convictions resulting from the manslaughter of Miss Jensen and the conduct of off-duty British service men more generally.

Mr. Cox: To ask the Secretary of State for Defence what discussions he is having with the family of the Danish tour guide for whose manslaughter three British service personnel in Cyprus have been convicted as to compensation which may be paid to them; and if he will make a statement. [24553]

Mr. Soames: As yet, no claim has been received. If one were to be submitted, it would be looked at sensitively and sympathetically.

Mr. Cox: To ask the Secretary of State for Defence what pay and allowances the three British service men convicted in Cyprus of the manslaughter of a Danish tour guide currently receive; and if he will make a statement. [24555]

Mr. Soames: While in custody, each soldier has received approximately £20 per week for incidental expenses such as telephone calls and toiletries.

Mr. Cox: To ask the Secretary of State for Defence what plans he has *(a)* to review the general rules of behaviour of British service personnel on the island of Cyprus and *(b)* to investigate complaints made by Greek Cypriots as to the behaviour of British military personnel based in Cyprus; and if he will make a statement. [24565]

Mr. Soames: Both the educational and disciplinary arrangements relating to the behaviour of British service personnel in Cyprus are kept under constant review. Any complaints by Cypriots against such personnel are investigated fully either by the Cypriot police or service police, depending upon where jurisdiction lies.

Mr. Cox: To ask the Secretary of State for Defence if his Department now plans to discharge the three service personnel convicted of the manslaughter of a Danish tour guide from the British army; and what benefits they will be entitled to on their discharge. [24562]

Mr. Soames: Discharge procedures have been initiated for all three soldiers. No immediate benefits are payable, but all three will be entitled to a preserved pension, based on length of service, which will be payable when they attain the age of 60 years.

Mr. Cox: To ask the Secretary of State for Defence if it is the policy of senior British military personnel to visit areas of Cyprus to monitor how British service personnel conduct themselves when off-duty; and if he will make a statement. [24552]

Mr. Soames: Senior British military personnel do not visit areas in Cyprus to monitor how British service personnel conduct themselves when off-duty. They monitor the behaviour of personnel off base through daily situation reports provided by the service police.

Mr. Cox: To ask the Secretary of State for Defence what personal contact has been made by *(a)* Her Majesty's Government and *(b)* senior British military personnel in Cyprus with the family of the Danish tour guide for whose manslaughter three British service personnel in Cyprus have been convicted and if he will make a statement. [24554]

Mr. Soames: The then Commander of British Forces Cyprus wrote a letter of condolence to the parents of Louise Jensen on 29 September 1994.

Mr. Cox: To ask the Secretary of State for Defence how many British military police personnel patrol areas of the Republic of Cyprus which British service personnel are known to frequent during off-duty hours; and if he will make a statement. [24558]

Mr. Soames: The tourist areas of Limassol and Larnaca are patrolled regularly by members of the Royal Military police and the RAF police. Precise numbers vary according to the perceived requirement.

Mr. Cox: To ask the Secretary of State for Defence which areas of the Republic of Cyprus are out of bounds for British service personnel and their families. [24560]

Mr. Soames: The area of Ayia Napa remains out of bounds to the vast majority of British service personnel and their dependants. The tourist areas of Limassol and Larnaca are subject to a 1 am curfew. Other areas and individual establishments are placed out of bounds for specific periods from time to time.

Mr. Cox: To ask the Secretary of State for Defence what reports are made by British military personnel on the behaviour of individual British service personnel serving on the island of Cyprus; and if he will make a statement. [24566]

Mr. Soames: Daily situation reports are produced locally in Cyprus by the service police and reviewed by the chain of command. Depending on the nature or gravity of the incident, details may be reported up through command advisers or specialist staffs to central staffs in MOD.

National Audit Office

Mr. Byers: To ask the Secretary of State for Defence how many files marked "Not for National Audit Office Eyes" are currently held by his Department. [24852]

Mr. Arbuthnot: The marking "Not for NAO Eyes" is used in accordance with an agreement between the Treasury and the National Audit Office, under which documents relating to the handling of relations between Departments and the NAO and Public Accounts Committee are not automatically available to the NAO while they are current.

Because my Department operates a decentralised registry system, the number of files so marked could not be obtained without disproportionate cost.

TRANSPORT

Sea Empress

Mr. Ainger: To ask the Secretary of State for Transport what progress is being made by his marine accident investigation branch with its investigation into the grounding of the Sea Empress off Milford Haven on 15 February and the subsequent salvage operation; and if he will make a statement. [25849]

Sir George Young: The Chief Inspector of Marine Accidents has assured me that the investigation is progressing satisfactorily. The inspectors have interviewed many of the people from whom they need to take evidence and this process is continuing. All parties are co-operating with the inspectors.

There has been a good response to the public notices placed in the press inviting people to make representations to the inspectors which would assist them both in determining the circumstances and causes of the grounding and in relation to the subsequent salvage operations. The chief inspector has received 35 detailed representations and a further 63 letters from people, some of whom wish to give evidence to the inspectors.

The chief inspector's target for investigations of this kind is to submit his final report to me within 12 months of the date of an accident. Within this time, he has to carry out a consultation process on the draft, a statutory requirement which normally takes two months or more. If at any stage of the inquiry the chief inspector feels that he can usefully and properly publish interim recommendations, he will do so.

In order to carry out the investigation speedily and thoroughly, the chief inspector tells me that he has appointed five of his nine inspectors to the investigation.

I hope to publish the chief inspector's final report as soon as possible after receiving it.

National Audit Office

Mr. Byers: To ask the Secretary of State for Transport how many files marked "Not for National Audit Office Eyes" are currently held by his Department. [24859]

Mr. Norris: There are 119 files in the Department of Transport, out of a total, 1,169,731, marked "Not to be seen by NAO without reference to the appropriate Head of Division", sometimes abbreviated to "Not for NAO Eyes". These figures refer to individual jackets—file parts. For each study, a number of divisions may be involved and each may possess a file with a number of parts.

The marking "Not for NAO Eyes" is used in accordance with an agreement between the Treasury and the National Audit Office, under which documents relating to the handling of relations between Departments and the NAO and Public Accounts Committee are not automatically available to the NAO while they are current.

Newbury Bypass

Mr. Dafis: To ask the Secretary of State for Transport if he will place in the Library the tendering documents for the construction contract for the A34 Newbury bypass. [25184]

Mr. Watts *[holding answer 16 April 1996]:* No.

Mr. Dafis: To ask the Secretary of State for Transport, pursuant to his answer of 1 February, *Official Report*, column *843*, (1) if he will break down the costs of construction of the A34 Newbury bypass to indicate the cost of *(a)* the advance clearance contract, *(b)* the construction contract, *(c)* security during advance clearance and construction and *(d)* the enforcement by the under-sheriff of the various court orders for possession; [25340]

(2) if he will make it his policy not to enter into a construction contract for the A34 Newbury bypass until the Department of the Environment has completed its public consultation on a special area of conservation to protect the terrestrial pulmonate snail Vertigo Moulinisiana. [25338]

Mr. Watts *[holding answer 16 April 1996]:* I have asked the chief executive of the Highways Agency to write to the hon. Member.

Letter from Lawrie Haynes to Mr. Cynog Dafis, dated 17 April 1996:

As you know, the Secretary of State for Transport has asked me to reply to your Parliamentary Questions about the costs of construction of the A34 Newbury Bypass and the timing of the award of the main works contract.

At the time of award, the value of the contract for the site clearance was £1.684M. Although most of the work is complete, the contract is still extant and the final cost has yet to be determined.

The cost of the security for the clearance work is likely to be in the order of £6M. This will cover the costs of the security firm hired by the clearance contractor and the costs incurred by the Under Sheriff in enforcing the eviction orders.

Much of the work involved overlaps the clearance contract and the enforcement work. For instance, the cost of felling the trees increased because it was necessary first to trim a tree before evicting the protestors to allow the tree to be felled, rather than simply felling the tree in one go. We cannot therefore disaggregate the costs.

We are still assessing the tenders for the main works contract so I cannot say what the costs of those works, and any associated security costs, will be.

It is too soon to say when we will award the contract for the main works, or to speculate on whether any part of the area qualifies for designation as an SAC. English Nature will advise the Government on the latter on the basis of further survey work we and they have commissioned in respect of Vertigo Moulinsiana.

Mr. Dafis: To ask the Secretary of State for Transport when he plans to enter into the construction contract for the A34 Newbury bypass. [25183]

Mr. Watts *[holding answer 16 April 1996:]:* It is too early to say when the contract will be awarded.

Catalytic Converters

Mr. Llwyd: To ask the Secretary of State for Transport how many motor vehicles there are in the United Kingdom; and what estimate he has made of the percentage of them equipped with catalytic converters. [25013]

Mr. Norris: It is estimated that, at the end of September 1995, there were 25.51 million vehicles licensed to use Great Britain's roads. Of these 21.46 million were passenger cars of which, it is estimated, some 23 per cent. were equipped with catalytic converters. There is negligible use of catalytic converters in other vehicle sectors.

A40

Mr. Nigel Jones: To ask the Secretary of State for Transport how many *(a)* accidents were reported, *(b)* casualties required hospital treatment and *(c)* fatalities occurred on the A40 between Oxford and Gloucester for each year since 1979; and if he will make a statement. [24908]

Mr. Norris: The table shows the number of personal injury accidents on the A40 between Oxford and Gloucester which were reported to the police, and the number of casualties resulting. Non-fatal casualties are classified as either seriously or slightly injured—the police do not record whether or not hospital treatment was required.

Injury accidents and casualties on the A40 between Oxford and Gloucester: 1979–94

		Casualties			
Year of accident	*Injury accident*	*Fatal*	*Serious*	*Slight*	*All casualties*
1979	168	5	68	148	221
1980	157	5	63	146	214
1981	155	14	73	132	219
1982	164	11	78	142	231
1983	144	9	55	147	211
1984	184	7	66	182	255
1985	171	11	64	171	246
1986	158	8	61	166	235
1987	177	6	52	174	232
1988	188	9	68	192	269
1989	196	6	62	214	282
1990	136	5	39	158	202
1991	135	10	42	152	204
1992	152	2	33	183	218
1993	139	3	28	168	199
1994	140	7	39	165	211

Crash Barriers

Mr. Nicholls: To ask the Secretary of State for Transport if he will commission the Transport Research Laboratory to carry our a full-scale assessment of the effectiveness of crash cushions. [25151]

Mr. Watts: No, a study into the situations where there may be a need to deploy crash cushions on the highway network has already been carried out. Generally, their widespread use is not cost effective because of the unpredictability and infrequent occurrence of the type of accidents they prevent.

The Highways Agency has developed an effective prototype crash cushion, and other proprietary systems exist. They can be installed at particular sites on truck roads if in the light of the specific circumstances they provide an appropriate solution.

Mr. Nicholls: To ask the Secretary of State for Transport what assessment he has made of accidents within the last two years where vehicles have left the road and descended down an embankment *(a)* where a barrier has been present and *(b)* where no barrier has been present. [25143]

Mr. Norris: The information requested is not available.

Coaches (Motorways)

Sir David Steel: To ask the Secretary of State for Transport if he will place in the Library a copy of the report commissioned by his Department from the Confederation of Passenger Transport on the trial ban on coaches using the outside lanes of motorways; and when he will make a statement on the outcome of the ban. [24620]

Mr. Norris: A copy of the report produced by Wootton Jeffreys on behalf of the Confederation of Passenger Transport, formerly the Bus and Coach Council, was placed in the Library in January 1995. A statement on the outcome of the ban on coaches using the outside lane of motorways with three or more lanes will be made after two years' accident data have been studied.

Traffic Accidents (New Drivers)

Mr. Llwyd: To ask the Secretary of State for Transport how many traffic accidents involving newly qualified drivers were reported in *(a)* 1993 and *(b)* 1995; and if he will make a statement. [24584]

Mr. Norris: The table shows the number of injury road accidents in Great Britain in 1993 and 1994 which involved one or more drivers aged 17 to 21. The national road accident reporting system does not specifically identify newly qualified drivers, and final data for 1995 are not yet available.

Injury road accidents involving drivers aged 17–21: Great Britain: 1993 and 1994

	Year of accident	
Accident severity	*1993*	*1994*
Fatal	764	724
Serious	8,567	8,309
Slight	42,560	41,271
Total	51,891	50,304

Air Safety

Mr. Allen: To ask the Secretary of State for Transport what regulations are currently in place to ensure that military and civilian aircraft do not use the same air space at the same time; and if he will make a statement. [25478]

Mr. Norris: The same rules apply to civil and military aircraft with regard to avoiding other traffic. Within controlled air space, aircraft comply with instructions received from air traffic control. Outside controlled air space, there are procedures and minimum flight visibility rules to enable pilots to see and avoid other traffic.

Mr. Allen: To ask the Secretary of State for Transport (1) what safety regulations are currently in place in respect of amateur pilot training; and if he will make a statement; [25476]

(2) what plans he has to amend the safety aspects of the amateur pilot training regulations; and if he will make a statement. [25475]

Mr. Norris: The safety regulations relating to the private pilot's licence are laid down in schedule 8 to the Air Navigation (No. 2) Order 1995, and policy and guidance material for PPL training and testing is set out in "Civil Aviation Publication 53", issued by the Civil Aviation Authority.

The CAA is responsible for amendments to PPL training regulations. This is an on-going process, in light of factors such as technological advances or the development of new EU regulations.

Radar Detectors

Mr. Chidgey: To ask the Secretary of State for Transport what assessment he has made of banning the *(a)* sale and *(b)* possession of radar detectors for personal use. [25441]

Mr. Norris: The use of radar-type devices without a licence is an offence under the Wireless Telegraphy Act 1949, and the Radio Communications Agency would not issue a licence for any apparatus capable of interfering with authorised radio use.

Helicopter Search and Rescue Services

Mr. Viggers: To ask the Secretary of State for Transport what changes he plans to the helicopter search and rescue services operated by the coastguard on the south coast of England. [24573]

Mr. Norris: I refer to my reply to my hon. Friend the Member for South Dorset (Mr. Bruce) on 28 March, *Official Report*, column *706*.

Overloaded Vehicles

Mr. Chris Davies: To ask the Secretary of State for Transport what is the current sum devoted to enforcement of regulations against overloading of vehicles. [24894]

Mr. Norris: It is estimated that, in 1996–97, the Vehicle Inspectorate will devote about £2 million to the enforcement of the weight limits of goods vehicles.

Mr. Davies: To ask the Secretary of State for Transport (1) how many vehicle weighing centres there are in the United Kingdom; and what is the average period during which they are in use; [24892]

(2) how many operators of heavy good vehicles were prosecuted for overloading in the last year for which information is available. [24891]

Mr. Norris: I have asked the chief executive of the Vehicle Inspectorate to write to the hon. Member.

Letter from Ron Oliver to Mr. Chris Davies, dated 17 April 1996:

The Secretary of State has asked me to reply to your questions on the number of HGV operators prosecuted for overloading offences and the number of vehicle weighing centres in the UK.

In the financial year 1994/95, the Vehicle Inspectorate prosecuted 4,385 overloading offences (this number includes drivers and operators). The figure does not include any prosecutions taken by local authorities, Trading Standards and the Police, information for which we do not hold.

The Vehicle Inspectorate is responsible for the maintenance and operation of 72 weighbridges throughout the UK. This figure does not include public weighbridges or private weighbridges (ie at operators' premises), information for which we do not keep. Information on the average period in which they are in use can only be provided at disproportionate cost. Roadside check programmes are arranged locally to allow maximum use of manpower and resources and use of the weighbridges will vary to ensure efficient use.

Mr. Davies: To ask the Secretary of State for Transport what estimate he has made of the proportion of journeys made by heavy goods vehicles operating in an overloaded condition. [24890]

Mr. Norris: No surveys have been carried out recently on which an estimate could be based.

However, in 1994–95 the Vehicle Inspectorate weighed 120,297 heavy goods vehicles of which 4,545 were prohibited from continuing their journey by reasons of being overloaded.

Mr. Davies: To ask the Secretary of State for Transport what legal obligations are placed upon customers to ensure that operators carrying their goods do not overload vehicles. [24893]

Mr. Norris: None. It is the responsibility of the driver and operator to ensure that vehicles are not overloaded.

Mr. Davies: To ask the Secretary of State for Transport if he will require customers to sign documentation indicating that they understand the loading restrictions placed upon the operators of heavy goods vehicles working on their behalf. [24895]

Mr. Norris: I have no plans to require customers to sign any form of documentation to this effect.

Accidents (Cost)

Mr. Nicholls: To ask the Secretary of State for Transport what estimate he has made of the cost to the economy of each *(a)* fatal accident, *(b)* serious accident and *(c)* slight accident. [25146]

Mr. Norris: The values attributed to the avoidance of deaths and injuries in road accidents in 1994 were *(a)* fatal accident £913,100; *(b)* serious accident £108,100; *(c)* slight accident £10,600. These values take account of medical costs, lost production, human costs based on willingness to pay, the costs of police and courts, insurance administration, and property damage.

Pedestrians and Cyclists

Mr. Allen: To ask the Secretary of State for Transport how many *(a)* pedestrians and *(b)* cyclists were killed on the roads in each year in Great Britain since 1979. [25400]

Mr. Norris: The information requested is shown in the table. Figures for 1995 should be available in July.

Road accident fatalities

	Pedestrians	*Pedal cyclists*
1979	2,118	320
1980	1,941	302
1981	1,874	310
1982	1,869	294
1983	1,914	323
1984	1,868	345
1985	1,789	286
1986	1,841	271
1987	1,703	280
1988	1,753	227
1989	1,706	294
1990	1,694	256
1991	1,496	242

Road accident fatalities

	Pedestrians	*Pedal cyclists*
1992	1,347	204
1993	1,241	186
1994	1,124	172

Turnham Green Underground Station

Mr. Deva: To ask the Secretary of State for Transport (1) how many members of the London regional passengers committee *(a)* regularly use and *(b)* live near Turnham Green station; [25140]

(2) what representations he has received on the decision by London Transport that Piccadilly line trains should no longer stop at Turnham Green station from September; [25138]

(3) what assessment he has made of the effects, with special reference to early and late workers, of the decision that Piccadilly line trains should no longer stop at Turnham Green. [25139]

Mr. Norris: *(a)* None; *(b)* none.

My right hon. Friend the Secretary of State for Transport and I have each received a number of written representations about this decision, and I shall shortly discuss it with the chairman of London Transport. Decisions on the timetabling of Piccadilly line services are, however, an operational matter for LT and London Underground Ltd.

HOME DEPARTMENT

National Audit Office

Mr. Byers: To ask the Secretary of State for the Home Department how many files marked "Not for National Audit Office Eyes" are currently held by his Department. [24847]

Mr. Howard: No central record of files marked "Not for NAO Eyes" is maintained. The information could be obtained only by examining individually each of the 1.5 million extant files in my Department, and could therefore be obtained only at disproportionate cost.

The marking "Not for NAO Eyes" is used rarely and in accordance with an agreement between the Treasury and the National Audit Office, under which documents relating to the handling of relations between Departments and the National Audit Office and Public Accounts Committee are not automatically available to the National Audit Office while they are current.

Prisoner Transfers

Mr. Madden: To ask the Secretary of State for the Home Department (1) when he intends to take a decision on applications by prisoners detained in the United Kingdom to be transferred to prisons in the Irish Republic; and if he will make a statement; [24579]

(2) how many medical reports on Patrick Kelly he has requested in the last year; when the last report was *(a)* requested and *(b)* received by him; and when he expects to take a decision on Mr. Kelly's application to transfer to a prison in the Republic of Ireland. [24582]

Miss Widdecombe *[holding answer 16 April 1996]:* All requests made by prisoners seeking repatriation to the Republic of Ireland are determined on their individual merits. Repatriation in each case is subject to the consent of both jurisdictions and the prisoner concerned. Since 1 November 1995, when the Council of Europe convention on the transfer of sentenced persons came into force in the Republic, 70 requests have been received from prisoners in England and Wales wishing to be repatriated there. Twenty-nine requests including Mr. Kelly's have been referred to the Irish Republic for their consideration as required by the convention; a response has been received from the Irish authorities on Mr. Kelly's request and six others, one of which has now been granted.

Six medical reports commissioned by the Prison Services of England and Wales and of Northern Ireland have been received on Patrick Kelly's condition; the latest of these is dated 11 April. In addition, three medical reports have been forwarded by Mr. Kelly's solicitors. Mr. Kelly remains on normal location within Maghaberry prison where his condition is regularly monitored.

A decision on Mr. Kelly's repatriation request and all other outstanding requests will be made as soon as is possible.

Young Offenders

Mr. David Evans: To ask the Secretary of State for the Home Department what progress he has made with his plans for a second demanding new regime for young offenders. [25618]

Miss Widdecombe: I am pleased to announce that we have decided to establish a new young offender institution on a site at the military corrective training centre at Colchester.

Colchester young offender institution will begin taking its first prisoners this autumn, building to a maximum population of 32 young men aged between 18 and 21.

The purpose of this initiative is to test the effectiveness of a regime similar to that followed by military detainees in improving the attitude and behaviour of young offenders and in reducing the level of their re-offending after release.

Young offenders will be sent to Colchester having been assessed as suitable for the regime and conditions there. They will not be volunteers. Their day will be long and active, beginning with reveille at 6 am and ending with lights out at 10 pm. They will experience a combination of discipline, education and training reflecting the military ethos of the MCTC.

Colchester young offender institution will operate under the young offender institution rules and Prison Service policy.

It will be run by staff from the Prison Service and by military staff appointed as prison officers. The military commandant if the MCTC will be appointed as the governor and he will have as his deputy an experienced Prison Service governor grade. Military staff appointed to the young offender institution will be thoroughly trained.

Young offenders' progress will be monitored while at Colchester and afterwards. The results will be compared with those from a group of similar young offenders from a normal young offender institution.

This is the second of two tough, disciplined and demanding new regimes for young offenders. The first is the high intensity training programme at Thorn Cross young offender institution which my right hon and learned Friend announced last year and which will take its first inmates in the summer.

Together, these initiatives represent a serious and determined attempt by Her Majesty's Government to find a way to break the cycle of re-offending among persistent young offenders.

Buckley Hall Prison

Ms Lynne: To ask the Secretary of State for the Home Department what are the differences between the ratio of prison officers with non-medical responsibilities to prisoners at Buckley Hall and those at male category C prisons, in respect of all shifts. [24278]

Miss Widdecombe *[holding answer 3 April 1996]:* Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Ms Liz Lynne, dated 17 April 1996:

The Home Secretary has asked me to reply to your recent Question about the differences between the ratio of prison officers with non-medical responsibilities to prisoners at Buckley Hall prison and those at male category C prisons, in respect of all shifts.

The information requested, as at 1 April, is shown in the attached table. health care provision at Buckley Hall prison is contracted-out and so the ratio of staff to inmates includes all prisoner custody officers. The ratio for male category C prisons includes establishments where only a proportion of the prison population is made up of category C prisoners. The staffing ratio for these prisons comprises prison officers, senior officers and principal officers.

Information concerning the impact of shift patterns on the staffing ratio is not collected centrally and could only be obtained at disproportionate cost.

Staffing ratios for non health care staff to prisoners

Establishment	*Staff: Inmate ratio*
Buckley Hall	1:2.7
Male category C training establishments	1:2.1

Ms Lynne: To ask the Secretary of State for the Home Department how many prisoners required medical treatment following the break-in by prisoners of the hospital at Buckley Hall in August 1994; how many received medical treatment in local hospitals; and who was responsible for the payment of the health care received by them. [24283]

Miss Widdecombe *[holding answer 3 April 1996]:* Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange a reply to be given.

Letter from Richard Tilt to Ms Liz Lynne, dated 17 April 1996:

The Home Secretary has asked me to reply to your recent Question about the number of prisoners requiring medical treatment following the break-in by prisoners to the hospital at Buckley Hall prison in August 1994; and who was responsible for the payment for the healthcare which they received.

No prisoner required medical treatment in the 24-hour period following the break-in by prisoners to the hospital at Buckley Hall prison in August 1994.

One prisoner subsequently received medical treatment in a local hospital and was returned to the prison. The Regional Health Authority responsible for the area in which this prisoner normally resided would be charged for his treatment.

CS Gas

Mr. Sheerman: To ask the Secretary of State for the Home Department (1) what guidance he has issued concerning the use of CS gas in the trials now being conducted; [23966]

(2) what guidance is given to police forces testing the use of CS gas about its use in confined spaces; [23964]

(3) if he will deposit in the Library the guidelines he issued regarding the use of CS gas spray by police forces in the pilot areas. [24710]

Mr. Maclean: My right hon. and learned Friend has not issued guidance to police officers participating in the trials. The Association of Chief Police Officers has provided guidelines on the use of CS in any circumstances where this may be necessary and on the aftercare of subjects who have been sprayed. Copies have been placed in the Library.

Campsfield House

Mr. George Howarth: To ask the Secretary of State for the Home Department if a site has been chosen to replace the proposed Campsfield House site. [25197]

Mr. Maclean: No. An alternative site is actively being sought.

Police Information Systems

Mr. Cohen: To ask the Secretary of State for the Home Department if he will list the organisations and police forces whose crime-fighting information will be co-ordinated via the new police information technology organisation; and if he will make a statement. [25023]

Mr. Maclean: The police information technology organisation exists in order to provide services to the police forces of England, Wales and Scotland. In particular, it operates the police national computer which holds information contributed by all these forces.

Mr. Cohen: To ask the Secretary of State for the Home Department, pursuant to his answer of 29 March, *Official Report*, column 791, to the hon. Member for Stockton, South (Mr. Devlin) on police information systems and information technology, what evaluation he has made of extending the role of the Data Protection Registrar to cover arrangements for police data held by a private company following compulsory competitive tendering arrangements; and if he will make a statement. [25022]

Mr. Maclean: The Data Protection Act 1984 will continue to apply to such data.

Mr. Cohen: To ask the Secretary of State for the Home Department, pursuant to his answer of 29 March, *Official Report,* column *791,* to the hon. Member for Stockton, South (Mr. Devlin) on police information systems and information technology, if he will *(a)* list the specific exemptions, *(b)* set out the reduction in overall competition requirement, *(c)* list the number and nature of the likely contracts involved, their duration and what provision they will contain to ensure security of personal data and *(d)* list what tender procedures will apply; and if he will make a statement on the arrangements he proposes to ensure the security of personal data. [25021]

Mr. Maclean: The extension of compulsory competitive tendering to police authority information systems-information technology support services in England and Wales will be adjusted so as to exclude.

(a) the user support and systems operation, excluding routine maintenance, of integrated communications infrastructures in support of operational policing, including radio, telephony and data services.

(b) the user support and systems operation, excluding routine maintenance, of operational systems, and the provision of IS/IT technical expertise and support for investigations surveillance and crime preventions;

(c) the user support and systems operation, excluding routine maintenance, for the operational investigation of computer crime;

(d) all IS/IT services carried out by police authorities on behalf of regional crime squads; and

(e) all operational and specialist IS/IT training, and associated training services, in respect of police officers and the IS/IT training of civilian support to the extent such training relates to preventing and detecting crime; upholding the law; bringing to justice those who break the law; and protecting, helping and reassuring the community.

The overall competition requirement will be 55 per cent. It will be for individual police authorities to decide how best to meet their CCT obligations within the overall statutory framework. It is not possible at this stage to anticipate the number and nature of the likely contracts which might be involved.

Convictions (Disclosure)

Mrs. Ann Winterton: To ask the Secretary of State for the Home Department when he expects to be able to publish a White Paper on the disclosure of convictions for those seeking access to children; and if he will make a statement. [25226]

Mr. Maclean: We expect to publish a White Paper setting out proposals for new arrangements for the disclosure of information from criminal records for employment and related purposes within the next few months.

Police Force

Ms Janet Anderson: To ask the Secretary of State for the Home Department when he expects his target of 5,000 additional police officers to be achieved. [25137]

Mr. Maclean: The Government are providing an additional £180 million in funding to allow an extra 5,000 police officers to be recruited over the three-year period

from April 1996 to March 1999. It is for chief officers of police and police authorities to determine the number of police officers in each force.

Onley Prison

Mr. George Howarth: To ask the Secretary of State for the Home Department if he will place in the Library a copy of the operational guidelines and specifications issued to the tenderers for Onley. [25201]

Mr. Maclean: Copies of the design and build specification and supporting schedules, the operational specification and supporting schedules and an administrative paper which outlines proposed rules for the secure training centre at Onley were placed in the Library on 8 March.

Mr. Howarth: To ask the Secretary of State for the Home Department when tenders were invited for the proposed secure training centre site at Onley; and which firms have *(a)* applied and *(b)* been invited to tender. [25196]

Mr. Maclean: Expressions of interest to design, build, manage and finance the third new secure training centre to be located at Onley, Northamptonshire, were invited on 9 August 1995. The following 11 companies or consortia expressed an interest:

Esmor-Keir

Group 4/Tarmac

JarmanCare Ltd.

Secure Care Services Ltd.

Castle Homes/Taylor Woodrow

Premier Prisons Ltd.

Team Rehabilitation Services

Henry Boot/STC Ltd.

UKCC/Wimpey/Impreglio

Tilbury Douglas/Bobby Ross Group

Bristol Management Centre.

Of these, the first four companies or consortia listed were invited to bid on 4 March.

Domestic Violence

Mr. Steinberg: To ask the Secretary of State for the Home Department what percentage of all assaults recorded by the police were domestic violence offences in each year since 1985. [24870]

Mr. Maclean: It is not possible to separately identify offences of domestic violence within the regular recorded crime series collected centrally by the Home Office.

Mr. Steinberg: To ask the Secretary of State for the Home Department how many refuges for women escaping domestic violence have been notified to his Department. [24897]

Mr. Maclean: The availability of emergency shelter for those fleeing domestic violence is a matter for my right hon. Friend the Secretary of State for the Environment. I understand that the latest information available from the Womens' Aid Federation shows that there are 418 refuges in England and 45 in Wales.

Special Constables

Mr. Touhig: To ask the Secretary of State for the Home Department (1) what is the average number of hours worked per week by special constables; [24940]

(2) what is the average number of hours worked per week by special constables in each constabulary; [24946]

(3) what is the average number of hours of training received by special constables. [24947]

Mr. Maclean: This information is not available centrally.

Ms Janet Anderson: To ask the Secretary of State for the Home Department (1) if he will make a statement on the funding provided by his Department for the training of special constables; [24896]

(2) if he will list by police force area the cost of the special constabulary, *(a)* in total and *(b)* as a percentage of the budget for each force. [24888]

Mr. Maclean: Specials are not paid but they must be recruited, trained, equipped and organised. They also receive allowances and reimbursement of out-of-pocket expenses. Each special constabulary is funded through the police grant for the force with which it is associated. It is for the chief officers to decide the level of funding to devote to their special constables and the proportion of those funds to commit to training purposes. Funds are occasionally augmented by support from sponsors.

Costs for specials are not identified separately by most forces and could be provided only at disproportionate cost. It is estimated that in their first year of service special constables cost about £1,400 and thereafter the annual cost is in the region of £500, although there are variations between forces.

The Government have found an additional £10 million to encourage chief officers to recruit more specials and to improve their conditions of service, administration and training. It will help to meet the cost of implementing the most urgent recommendations of the Home Office special constabulary working group, whose report is due to be published this summer. The working group has recommended that forces do more to identify separately special constabulary costs.

Most of the new fund is being offered on a challenge funding basis: forces must compete for the money through a bidding process, and those which secure tangible offers of support from other sources are favoured. But some £250,000 of the fund has been earmarked for a training package for those special constables who have been promoted into supervisory grades.

Mr. Touhig: To ask the Secretary of State for the Home Department (1) what is the number of special constables currently employed *(a)* in total and *(b)* in each constabulary; [24944]

(2) what is the number of special constables recruited in each year since 1992–93; [24942]

(3) how many special constables recruited in *(a)* 1992–93, *(b)* 1993–94, *(c)* 1994–95 and *(d)* 1995–96 have since resigned from service. [24941]

Mr. Maclean: Special constables are not employed but are volunteers. The total number of special constables in post on 20 March was 19,834. This figure is broken down by police force area in the table.

The number of special constables recruited in the calendar years 1992 and 1993 were 5,450 and 5,479 respectively. Thereafter, numbers have been recorded on a financial year basis. In 1994–95, 4,564 specials were recruited, and a further 2,150 were recruited between April and September 1995. Figures are not yet available for the second half of 1995–96.

Those forces which keep records about resignations do not specifically include information about when each special concerned was recruited. Anecdotal evidence suggests that most specials resign after at least two years, which is longer than the national average for those involved in volunteering, and that they will have offered their services to the force for at least four hours every week.

Force	*Number of specials*
Avon and Somerset	685
Bedfordshire	187
Cambridgeshire	280
Cheshire	279
City of London	77
Cleveland	185
Cumbria	207
Derbyshire	419
Devon and Cornwall	1,097
Dorset	254
Durham	183
Dyfed Powys	301
Essex	622
Gloucestershire	329
Greater Manchester	721
Gwent	139
Hampshire	503
Hertfordshire	310
Humberside	385
Kent	557
Lancashire	548
Leicestershire	364
Lincolnshire	306
Merseyside	368
Metropolitan	1,758
Norfolk	319
Northamptonshire	300
Northumbria	477
North Wales	345
North Yorkshire	371
Nottinghamshire	554
South Wales	467
South Yorkshire	373
Staffordshire	705
Suffolk	415
Surrey	249
Sussex	518
Thames Valley	765
Warwickshire	341
West Mercia	603
West Midlands	944
West Yorkshire	783
Wiltshire	241

Female Homicide Victims

Mr. Steinberg: To ask the Secretary of State for the Home Department what percentage of female homicide victims were killed by present or former partners in each year since 1985. [24916]

Mr. Maclean: The information requested is contained in the following table:

Percentage of female homicide victims killed by their spouse, cohabitant or former spouse or cohabitant, England and Wales[1]

Year	*Per cent.*
1985	39
1986	43
1987	34
1988	36
1989	43
1990	39
1991	38
1992	38
1993	34
1994	30

[1] As at 4 August 1995.

Figures for 1995 are not yet available.

Court Appearances (Polices Officers)

Mr. Chris Davies: To ask the Secretary of State for the Home Department what assessment he has made of the impact of the procedures introduced under section 48 of the Criminal Justice and Public Order Act 1994 in respect of the time spent by police officers making unnecessary court appearances; and if he will make a statement. [24887]

Mr. Maclean: It was in order to reduce the waste of time and money which results from "cracked" trials—when defendants who intend to plead guilty delay doing so until the day of the trial—that the practice of giving discounts for early guilty pleas was put on a statutory basis in section 48 of the Criminal Justice and Public Order Act 1994.

The latest figures from the Lord Chancellor's Department show that the proportion of cases in which the plea was changed to guilty on the date of trial fell by five percentage points between the last quarter of 1994 and the last quarter of 1995. Although it is uncertain to what extent section 48 contributed to this fall, any decrease in the incidence of cracked trials saves the time of the police and of other witnesses, as well as saving court time.

Benefits (Police Officers)

Ms Janet Anderson: To ask the Secretary of State for the Home Department what representations he has received about the number of police officers in receipt of *(a)* income support and *(b)* other benefits. [24930]

Mr. Maclean: The Police Federation and my hon. Friend the Member for Uxbridge (Sir M. Shersby), in his capacity as parliamentary adviser to the Police Federation, have made representations about those few police officers receiving such benefits.

Neighbourhood Watch Schemes

Mr. Llwyd: To ask the Secretary of State for the Home Department how many neighbourhood watch schemes there are in operation in *(a)* each county in Wales, *(b)* Wales and *(c)* England; and if he will make a statement. [25012]

Mr. Maclean: Information on the number of neighbourhood watch schemes is collected by police force area, not county. At 31 March 1995, the figures were as follows:

Neighbourhood Watch schemes in Wales, by police force area

Area	*Number*
Dyfed-Powys	1,455
Gwent	363
North Wales	3,381
South Wales	1,911
Total	7,110

(b) Neighbourhood Watch schemes in England: 135,892.

The number of schemes in Wales rose by some 23 per cent. between December 1993 and March 1995. I am delighted that the people of Wales are embracing neighbourhood watch so enthusiastically. It has a very important part to play in the fight against crime.

Paedophiles

Ms Janet Anderson: To ask the Secretary of State for the Home Department if he proposes to include the vetting of known paedophiles in his proposed White Paper on employment vetting; and when he expects to publish the White Paper. [24933]

Mr. Maclean: The White Paper, which will be published within the next few months, will set out proposals for new arrangements for the disclosure of criminal record information. In particular, it will propose new arrangements for checks on those seeking positions which will give them access to children. We also intend to publish shortly a consultation document which will canvass the full range of measures which could improve public protection against sex offenders, including additional supervision of offenders following their release from custody.

Prisoner Admissions

Mr. George Howarth: To ask the Secretary of State for the Home Department how many young people were received into Prison Service establishments as *(a)* untried and *(b)* convicted unsentenced during 1994 by age and institution; and what factors led to the omission of this information from Prison Statistics England and Wales 1994. [25198]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. George Howarth, dated 17 April 1996:

The Home Secretary has asked me to reply to your recent Question asking how many young people were received into Prison Service establishments as (a) untried and (b) convicted unsentenced during 1994 by age and institution; and what factors led to the omission of this information from "Prison Statistics, England and Wales 1994".

The available information was published in table 3.10 of the 1994 edition of "Prison statistics, England and Wales" as usual. A copy of the table is attached for information. Information by individual Prison Service establishment is not published in "Prison statistics, England and Wales".

Table 3.10: Receptions[1] into Prison Service establishments: by age, sex and type of custody, 1994

England and Wales

Young Offenders *Number of persons*

Sex and type of custody	*All young offenders*	*Age on sentence* 15	16	17	18	19	20
All males and females on remand[1]	19,459	635	1,103	3,978	4,808	4,513	4,422
All males and females under sentence	18,224	747	1,277	2,096	3,879	5,023	5,202
All males on remand[1]	18,712	635	1,100	3,828	4,604	4,319	4,226
Untried	16,140	613	1,042	3,419	3,964	3,611	3,491
Convicted unsentenced	10,513	331	626	2,182	2,582	2,462	2,330
All males under sentence	17,570	715	1,218	2,038	3,749	4,855	4,995
Detention in a young offender institution	14,058	675	1,103	1,846	3,188	3,656	3,590
Custody for life	20	—	—	—	2	9	9
In default of payment of a fine	3,123	—	—	—	542	1,188	1,393
Section 53(1) C and YP Act 1933	12	—	2	5	4	—	1
Section 53(2) C and YP Act 1933	357	40	113	187	13	2	2
All females on remand[1]	747	—	3	150	204	194	196
Untried	586	—	2	126	150	160	148
Convicted unsentenced	368	—	1	65	115	87	100
All females under sentence	654	32	59	58	130	168	207
Detention in a young offender institution	492	28	51	54	99	118	142
Custody for life	—	—	—	—	—	—	—

Table 3.10: Receptions[1] into Prison Service establishments: by age, sex and type of custody, 1994

England and Wales

Young Offenders — *Number of persons*

Sex and type of custody	*All young offenders*	*Age on sentence* 15	16	17	18	19	20
In default of payment of a fine	145	—	—	—	31	50	64
Section 53(1) C and YP Act 1933	1	—	—	—	—	—	1
Section 53(2) C and YP Act 1933	16	4	8	4	—	—	—

[1] Total receptions cannot be calculated by adding together receptions in each category because there is double-counting (see paragraph 10 of Introduction). However double-counting has been allowed for in the figures of receptions of prisoners under remand where the figures for "all remand" record once only a person received as an untried prisoner who is subsequently received also as a convicted unsentenced prisoner.

Private Finance Initiative

Ms Janet Anderson: To ask the Secretary of State for the Home Department if he will list the revenue spending estimated by his Department in connection with the private finance initiative for *(a)* 1995–96, *(b)* 1996–97 and *(c)* 1997–98. [24883]

Mr. Howard: Estimates of payments under private finance initiative contracts are as follows:

1995–96: £0.6 million

1996–97: £6.0 million

1997–98: £60.65 million

Stalking

Ms Janet Anderson: To ask the Secretary of State for the Home Department what representations he has received from *(a)* the Association of Chief Police Officers, *(b)* the Director of Public Prosecutions, *(c)* the Police Federation, *(d)* the Suzy Lamplugh trust, and *(e)* others about the need to introduce a criminal offence of stalking. [24935]

Mr. Maclean: We have received no representations on this subject from the Association of Chief Police Officers, the Director of Public Prosecutions or the Police Federation. The Suzy Lamplugh trust has made no direct representations to the Home Office, but its concerns in this area are well known to us.

In the past year, we have received representations on this issue from:

the National Anti-Stalking and Harassment Campaign (NASH);

individual police officers who have investigated cases of stalking;

The Mail on Sunday, The Portsmouth News and Yorkshire Television;

hon. Friends and hon. Members and noble Lords in another place; and

49 members of the public, including victims of stalking.

Buggery

Mr. Llwyd: To ask the Secretary of State for the Home Department how many cases of non-consensual buggery of men were reported in the United Kingdom in *(a)* 1985 and *(b)* 1995; and if he will make a statement. [24601]

Mr. Maclean: Following the introduction of the Criminal Justice and Public Order Act 1994, the offence of non-consensual buggery became male rape and statistics for the number of offences recorded in England and Wales in 1995 were published in table 6 of "Home Office Statistical Bulletin 3/96". Prior to the introduction of the Act, recorded offences of non-consensual buggery were contained within the overall offence of buggery and were not separately identifiable. Figures for total recorded offences of buggery in 1985 are published in table 2.16 of "Criminal Statistics, England and Wales, 1994". Copies of both the above publications are available in the Library. Figures for Scotland and Northern Ireland are matters for the Secretary of State in each Department respectively.

Custodial Sentences

Mr. Corbett: To ask the Secretary of State for the Home Department what percentage of prisoners remanded on criminal charges currently receive a custodial sentence following conviction. [24826]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Robin Corbett, dated 17 April 1996:

The Home Secretary has asked me to reply to your recent Question asking what percentage of prisoners remanded on criminal charges currently receive a custodial sentence following conviction.

The available information on the proportion of remand prisoners in England and Wales subsequently receiving a custodial sentence is given in table 2.6 of "Prison statistics, England and Wales 1994" (Cm 3087), a copy of which is in the Library.

Seat Belts

Mr. Llwyd: To ask the Secretary of State for the Home Department how many drivers and passengers were summoned for travelling without a seat belt in *(a)* 1990, *(b)* 1992, *(c)* 1994 and *(d)* 1995; and if he will make a statement. [24600]

Mr. Maclean: There were 10,145 prosecutions for not wearing a seat belt in England and Wales in 1990, 11,258 in 1992 and 8,715 in 1994. Statistics for 1995 are not yet available.

Metropolitan Police (Complaints)

Mr. Cohen: To ask the Secretary of State for the Home Department how many complaints the Metropolitan police have settled on cash terms in each year since 1990 and in the current year to date; how many of those have been on

no-liability admission basis; what has been the total cash agreed for payment in each year; how many of these cases had a *(a)* racial and *(b)* sexual aspect; what was the cost per year relating to each of these; what is the total numbers of police officers involved in these cases; and how many have (i) been disciplined, (ii) left the police service and (iii) been subsequently promoted. [24624]

Mr. Maclean: Information about complaints made against the Metropolitan police, which have been settled on cash terms, is given in the table. The information requested in the latter part of the question is not available centrally and could not be obtained without disproportionate cost.

	1990	*1991*	*1992*	*1993*	*1994*	*1995*	*[1]1996*
Settled actions	78	74	85	140	174	140	48
Amount paid	£557,000	£390,000	£468,000	£1,332,000	£1,050,000	£1,051,000	£322,000
Threatened actions	49	38	51	74	100	72	18
Amount paid	£91,000	£60,000	£84,000	£204,000	£209,000	£242,000	£23,000
Total actions	127	112	136	214	274	212	66
Total paid	£648,000	£450,000	£552,000	£1,536,000	£1,259,000	£1,293,000	£345,000

[1] To 31 March.

Firearms

Mr. Llwyd: To ask the Secretary of State for the Home Department how many firearm permits and shotgun certificates were issued in Wales in 1995; and if he will make a statement. [24625]

Mr. Maclean: The latest available information on firearm and shot gun certificates was published in the Home Office statistical bulletin "Firearm Certificate Statistics, England and Wales 1994", issue 11/95, copies of which can be found in the Library. The bulletin contains the information that 768 new firearm certificates and 2,629 new shot gun certificates were issued in Wales during 1994.

Driving Insurance (Prosecutions)

Mr. Chidgey: To ask the Secretary of State for the Home Department how many prosecutions for driving without insurance there have been in each of the last five years; and if he will make a statement. [25256]

Mr. Maclean *[holding answer 16 April 1996]:* Information on the number of proceedings at magistrates courts for the offence of using a motor vehicle uninsured against third party risks, for the latest five years which are available, are given in the table.

Proceedings at magistrates' courts for the offence of using a motor vehicle uninsured against third party risks, England and Wales:

Year	*Number of offences*
1990	317,797
1991	364,035
1992	404,492
1993	446,568
1994	446,559

Coroners (Wales)

Mr. William Ross: To ask the Secretary of State for the Home Department (1) how many coroners were in post in Wales on Friday 29 March; [24479]

(2) how many coroners had been appointed to the new jurisdictions established by the Coroners Districts (Wales) Order 1996, by Saturday 30 March, to hold office from 1 April, giving their appointment dates; [24523]

(3) which lead authorities under the Coroners Districts (Wales) Order 1996 have made *(a)* requests and *(b)* arrangements to use the services of coroners appointed to other areas after 1 April. [24524]

Mr. Sackville: Responsibility for the appointment of coroners rests with the relevant councils. There were 16 coroners in post in Wales on 29 March. Five coroners were formally appointed to the new districts by 30 March to hold office from 1 April, with appointment dates of 29 March. I am informed that Wrexham county borough council and Denbighshire county council made arrangements to use the services of coroners appointed to another area. I am not aware of any other requests made.

Morgan Report

Ms Janet Anderson: To ask the Secretary of State for the Home Department when he intends to implement the recommendations of the Morgan report, on the role of local councils. [24932]

Mr. Maclean: Over 200 local authorities are already engaged in crime prevention partnerships of the kind endorsed in the Morgan report. Given this level of activity, we see no need to burden them with new statutory responsibilities.

Private Security Industry

Ms Janet Anderson: To ask the Secretary of State for the Home Department if he will make a statement on the transfer of core and ancilliary tasks from the police to the private security industry. [24885]

Mr. Maclean: We have conducted a major review of police core and ancillary tasks and a report of its findings was published on 27 June 1995. The review made no recommendations to transfer traditional police tasks to the private security industry, and we have no plans to do so.

Prisoner Entitlements

Mr. Madden: To ask the Secretary of State for the Home Department what are the entitlements of detainees at *(a)* HMP Rochester *(b)* HMP Haslar and *(c)* Campsfield

house to (i) receive incoming phone calls, (ii) make phone calls, (iii) receive personal and legal visitors and (iv) spend time in common areas not in cells or dormitories; and if he will make a statement. [25473]

Miss Widdecombe *[holding answer 16 April 1996]:* Responsibility for this matter as regards the Prison Service has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given in consultation with the Immigration Service.

Letter from Richard Tilt to Mr. Max Madden, dated 17 April 1996.

The Home Secretary has asked me to reply to your recent Question about the entitlements of Immigration Act detainees at Rochester and Haslar prisons, and at Campsfield House immigration detention centre.

The information provided about Campsfield House, which is not a Prison Service establishment, has been supplied by the Immigration Service.

The information requested is set out in the attached table.

	Rochester	*Haslar*	*Campsfield House*
Incoming telephone calls	Answer-phone only. Messages passed on by staff	Dedicated telephone in each dormitory available 24 hours a day.	0900–2200 daily via switchboard. Emergency calls may be accepted at other times.
Outgoing telephone calls	One legal call a day at public expense. Cardphones available for as many calls as they can afford whenever unlocked.	Two cardphones in each dormitory available 24 hours a day.	Access to payphones 0700–2400 daily. Duty supervisor has discretion to allow calls at other times.
Personal and legal visitors	One personal and legal visit a day, except Sundays, subject to space being available in the visits area. Personal: Mon–Fri 1400–1630 Saturday 1400–1500 1530–1630 Legal: Monday–Friday 0930–1130 1400–1630	Monday–Friday 0930–1200 1330–1630 personal and legal visits Saturday–Sunday: 1330–1415 personal visits (legal visits exceptionally)	Personal: 1400–2100 daily (at other times in emergency or on compassionate grounds). Legal: 0900–2100 daily (exceptionally at other times).
Time in common areas (not in cells/dormitories)	10 hours 20 mins a day.	Monday–Friday: 12 hours a day Saturday and Sunday: 11 hours	0700–2400

TRADE AND INDUSTRY

National Consumer Council

19. **Mr. Martyn Jones:** To ask the President of the Board of Trade what recent representations he has received on the impact of the reductions in the budget of the National Consumer Council since 1993. [23935]

Mr. John M. Taylor: There is regular contact between the National Consumer Council and my Department on matters including the council's funding. I have received no other representations on this subject.

Heysham 2 Nuclear Power Station

23. **Mr. Illsley:** To ask the President of the Board of Trade what representation he has received regarding refuelling problems at the Heysham 2 nuclear power station; and if he will make a statement. [23941]

Mr. Eggar: This event, which involved the automatic shutdown of one of the two reactors at Heysham 2 on 29 January, was raised in the House by the hon. Member for Clackmannan (Mr. O'Neill) and other hon. Members during the debate on nuclear privatisation of 26 March. I have received no other representations on this subject. There was no danger from the event and it was not a matter that needed to be reported to Ministers under incident reporting criteria. However, Nuclear Electric has kept my Department informed about the event and the on-going investigation into its cause.

Intergovernmental Conference

24. **Ms Quin:** To ask the President of the Board of Trade when he next intends to meet his European Union counterparts to discuss the implication of the IGC on European trading and industrial policies. [23942]

Mr. Lang: My colleagues and I regularly meet our European Union counterparts to discuss a range of issues, including, when appropriate, the implication of the IGC on European trade and industrial policies.

West Cumbria Development Agency

25. **Mr. Campbell-Savours:** To ask the President of the Board of Trade what assistance his Department will give to West Cumbria development agency in the promotion of the Marypride project. [23943]

Mr. Oppenheim: Maryport is an assisted area. Any proposals for investments which create or safeguard jobs would be considered for support in accordance with the normal criteria for regional selective assistance. West Cumbria is also an objective 2 area and is eligible for European funding for business support measures, training and re-skilling activities.

Research and Development

26. **Mr. Ian Bruce:** To ask the President of the Board of Trade what proportion of our gross domestic project is spent on *(a)* Government and *(b)* private research and development and basic science. [23944]

Mr. Ian Taylor: In 1994, the latest year for which data is available, Government-funded R and D was 0.71 per cent. of GDP and private sector-funded R and D was 1.48 per cent. of GDP. Government-funded basic research amounted to about 0.24 per cent. of GDP and private sector-funded basic research was about 0.1 per cent. of GDP.

33. **Dr. Lynne Jones:** To ask the President of the Board of Trade if he will make a statement on Government funding for research and development. [23951]

Mr. Ian Taylor: In 1995–96 the total expenditure on research and development by Government Departments is expected to have been about £5.6 billion.

Telecommunications Industries (Regulation)

27. **Mr. John Marshall:** To ask the President of the Board of Trade if he will make a statement about the regulation of the telecommunications industries. [23945]

Mr. Ian Taylor: Telecommunications have a key role to play in building UK competitiveness, both in attracting new investment and in revolutionising the way all companies do business. The UK led the way for telecommunications worldwide by privatising BT in 1984 and by progressively liberalising the UK market. This policy has been an outstanding success. Business and residential consumers have benefited from lower prices, a real and growing choice of operator, and innovative new services. BT's prices have reduced by around 40 per cent. overall in real terms since 1984. Liberalisation has also stimulated the introduction of multimedia services, which will enable the UK to be at the forefront of the transition to the information society. The Government launched the information society initiative in February to increase awareness of the new opportunities created.

Manufacturing Output

29. **Mrs. Bridget Prentice:** To ask the President of the Board of Trade what is the level of manufacturing output in the UK as a percentage of gross domestic product; and what is the average for the European Union. [23947]

Mr. Oppenheim: The OECD estimates that in 1993 manufacturing output accounted for 21 per cent. of gross domestic product the European Union and, measured on a comparable basis, 19 per cent. in the UK.

Ice Cream (Inquiry)

30. **Ms Church:** To ask the President of the Board of Trade what action he is taking following the investigation by the Office of Fair Trading into the veracity of the evidence given by Bird's Eye Walls to the Monopolies and Mergers Commission inquiry into ice cream published in 1994. [23948]

Mr. John M. Taylor: The matter is being considered with a view to deciding whether a criminal investigation should be undertaken. The decision taken will be announced in due course.

Fossil Fuel Reserves

31. **Mr. Eric Clarke:** To ask the President of the Board of Trade what estimates he has made of the life-span of remaining United Kingdom fossil fuel reserves. [23949]

Mr. Page: Total British reserves of oil and gas in all known discoveries could, at 1994 rates of consumption, last respectively for 19 and 34 years. If the full potential from all possible future discoveries were to be included these would increase to over 50 years for both fuels.

The remaining reserves of coal at existing mines are estimated at around 1 billion tonnes, while 53 million tonnes were extracted in 1995. However, the prospects for future coal production are limited not by the resource base but by the economics of opening new mines.

Aerospace Industry (Lancashire)

32. **Mr. Atkins:** To ask the President of the Board of Trade what representations he has received about the aerospace industry in Lancashire. [23950]

Mr. Eggar: My Department has regular contact with the aerospace industry in Lancashire, including the Consortium of Lancashire Aerospace.

Visible Trade Balance

34. **Mr. Kevin Hughes:** To ask the President of the Board of Trade for how many years since 1979 the visible trade balance has been in deficit. [23952]

Mr. Nelson: The visible trade balance has been in deficit for 14 of the 17 years since 1979.

Gas Contracts

35. **Mr. Rooney:** To ask the President of the Board of Trade what representations he has received from the Gas Consumers Council about the mis-selling of domestic gas contracts by Swebgas. [23954]

Mr. Eggar: The Gas Consumers' Council has kept my Department appraised of its views as to the progress of gas competition in the south-west.

Manufacturing Output

Mr. Robert Ainsworth: To ask the President of the Board of Trade what is the level of manufacturing output in the United Kingdom; and what is the average for the European Union. [23929]

Mr. Oppenheim: Over the last European economic cycle, manufacturing output grew by 1.75 per cent. per year in the United Kingdom compared with 1 per cent. per year in the European Union.

Sutton Enterprise Agency

Lady Olga Maitland: To ask the President of the Board of Trade if he will make a statement on the work of Sutton enterprise agency. [23946]

Mr. Richard Page: The Sutton enterprise agency provides a valuable service, particularly to start-up and micro businesses in the borough. I welcome its involvement in local business link developments, particularly its co-location with other business support organisations in Sutton. This will provide an excellent opportunity to develop, through business link London south, a range of quality services appropriate to local business needs.

Institute of Animal Health

Mr. Gordon Prentice: To ask the President of the Board of Trade, pursuant to his answer of 27 March, *Official Report*, column 606, what are the reasons for the reduction in the number of scientists at the Institute of Animal Health between 1993 and 1995. [25186]

Mr. Ian Taylor: The change in number of scientists employed at the Institute of Animal Health's Neuropathogenesis Unit between 1993 and 1996, as given in my previous answer, was largely due to the expiry of a number of fixed-term contracts. In particular, the Biotechnology and Biological Sciences Research Council refocused its BSE programme, winding down the first and introducing a second phase. This involved first a reduction and then an increase in number of staff. As far as possible, continuity of research effort has been maintained.

National Audit Office

Mr. Byers: To ask the President of the Board of Trade how many files marked "Not for National Audit Office Eyes" are currently held by his Department. [24860]

Mr. John M. Taylor: No central record is kept by my Department of files marked "Not for NAO Eyes". For each NAO study, a number of divisions in different locations may be involved and each may possess in its registries a file with a number of parts—for example, individual jackets. The information requested is therefore not readily available and could be obtained only at disproportionate cost.

The marking "Not for NAO Eyes" is used in accordance with an agreement between the Treasury and the National Audit Office, under which documents relating to the handling of relations between Departments and the NAO and Public Accounts Committee are not automatically available to the NAO while they are current.

HEALTH

BSE

Mr. Colvin: To ask the Secretary of State for Health what assessment he has made of the reliability of the research carried out by Dr. Harash Narang into tests on live animals and humans to detect BSE and CJD. [24907]

Mr. Horam: Dr. Narang has proposed a number of tests to detect bovine spongiform encephalopathy and Creutzfeldt-Jakob disease. The first of these concerned a technique for examining the brain tissue of dead animals but in trials this proved to be no more successful in identifying cases of BSE than other better-established techniques.

Dr. Narang has also stated that he has developed urine tests for identifying BSE and CJD in live animals and humans. Such test, if effective, would be of great value and Dr. Narang has been invited to supply details of them so they can be independently evaluated. However, he has so far declined to do this although this question is still being explored with him.

Health Authority Cars

Mr. Cousins: To ask the Secretary of State for Health how many cars, and of what engine capacity, were provided for senior managers and board members of (1) the former Yorkshire regional health authority, (2) the former Northern regional health authority and (3) the present Yorkshire and Northern regional health authority in each year since 1992. [22895]

Mr. Malone: The available information is shown in the table.

	Northern regional health authority	*Yorkshire regional health authority*	*Northern and Yorkshire regional health authority*	*Northern and Yorkshire regional office*
1992–93	101	261	—	—
1993–94	124	224	—	—
1994–95	—	—	231	—
1995–96	—	—	87	—
1996–97	—	—	—	44

1. Engine capacity varied from 1100 cc to 2500 cc. The costs of any car in excess of a base vehicle were borne by the employee.

2. Leases were issued using the terms laid down by Whitley Council.

Community Health Councils (Chief Officers)

Mr. Redmond: To ask the Secretary of State for Health (1) what representations he has received from *(a)* individual community health councils, *(b)* the Association of Community Health Councils in England and Wales and *(c)* other organisations in respect of his Department's proposed regrading procedure of community health council chief officers; and if he will make a statement; [25459]

(2) if he will list those community health councils whose chief officer will financially *(a)* gain and *(b)* lose from his Department's proposed regrading procedure of community health council chief officers; and if he will make a statement. [25458]

Mr. Horam: The Department has not proposed a formal regrading procedure for community health council chief officers. The national health service executive has recently completed some exploratory work into how a common national framework for chief officer gradings might be created. Regional offices of the NHS executive may choose to use that work as a basis for any regrading of chief officer posts taking into account any other local factors that they consider appropriate. A letter setting this out was sent to regional offices on 14 February and copies will be placed in the Library.

Written representations about the letter have been received from the Trent Regional Association of Community Health Councils, the Society of Community Health Council Staff, and Sheffield Community Health Council. The Association for Community Health Councils for England and Wales also made representations about the letter at a meeting with me on 26 March 1996.

National Audit Office

Mr. Byers: To ask the Secretary of State for Health how many files marked "Not for National Audit Office Eyes" are currently held by his Department. [24848]

Mr. Horam: The marking "Not for NAO Eyes" is used in accordance with an agreement between the Treasury and National Audit Office, under which documents relating to the handling of relations between Departments and the National Audit Office and Public Accounts Committee are not automatically available to the NAO while they are current.

The usual practice in the Department is to assign the marking to individual documents rather than to files. Information on the number of documents so marked could be provided only at disproportionate cost.

South Manchester University Hospital NHS Trust

Mr. Alfred Morris: To ask the Secretary of State for Health what fees were paid by the South Manchester University Hospital NHS trust to the Audit Commission in 1995–96; what audit work was carried out by the commission during the year; what part the commission had in discovering the accountancy error that led to the closure of 64 NHS beds in Manchester, and if he will make a statement. [25295]

Mr. Horam: The Audit Commission played no part in discovering the accounting error. The payment of fees is a matter for South Manchester University Hospitals National Health Service trust and the right hon. Member may wish to contact Mr. Peter Hadfield, trust chairman, for details.

NHS Trusts

Mr. Alfred Morris: To ask the Secretary of State for Health (1) what additional funding is made available to hospital trusts to take account of the proximity to airports and motorways; [25296]

(2) what extra funding was made available in the last financial year to the South Manchester University Hospital NHS trust to take account of its proximity to Manchester Airport and the motorway network. [25297]

Mr. Horam: Trusts are not funded directly by my Department but from contracts with purchasers.

The proximity to airports and the motorway network will impact mainly on accident and emergency work and be reflected in the contracts for this work placed with trusts by their host health authority.

Abortions

Mr. Alton: To ask the Secretary of State for Health (1) how many partial birth abortions have been carried out for the latest year for which figures are available; [25298]

(2) if he will make it his policy to ban the technique of partial birth abortion in the United Kingdom. [25300]

Mr. Horam: We are not aware of this procedure being used in the United Kingdom. Methods of abortion are a matter of clinical judgment.

Mr. Alton: To ask the Secretary of State for Health what guidance his Department has issued on partial birth abortion. [25299]

Mr. Horam: None.

SOCIAL SECURITY

State Pensions

Mr. Luff: To ask the Secretary of State for Social Security how many people's national insurance contributions record leaves them without entitlement to a full retirement pension; and how many of these are *(a)* women below retirement age and *(b)* women above retirement age. [20736]

Mr. Heald *[pursuant to his reply 19 March, Official Report, column 181]:* The information I provided was incomplete. A revised answer follows.

At 31 March 1995, 4,642,330 people over state pension age in Great Britain were in receipt of either a contributory or non-contributory state retirement pension below the standard rate of basic retirement pension. Of these, 4,449,500 were women.

Some people who are over the state pension age and not in receipt of state pension may be deferring their pension in order to earn increments.

Equivalent information is not available for people under state pension age or for people over state pension age who have no entitlement to any state pension.

Source:

10 per cent. sample of Pension Strategy Computer System.

Notes:

1. The figures do not include people receiving Incapacity Benefit or Widows Benefit in place of Retirement Pension.

2. The figures include 540 men and 1,688,000 women who are not entitled to a full pension on their own national insurance record, but receive a full pension based on their deceased spouses contribution record.

State Retirement Pension

Mr. Luff: To ask the Secretary of State for Social Security how many people's national insurance contributions record leaves them without entitlement to any state retirement pension. [20735]

Mr. Heald: The information is not available in the format requested.

The number of people over state pension age, 60 for women and 65 for men, in 1995 is projected to be 10.4 million[1].

At 31 March 1995 the number of people over state pension age who receive some contributory retirement pension was 9.6 million[2].

The table gives a detailed breakdown of this figure. In addition:

At September 1994 the number of people receiving widows benefit in place of retirement pension was 47,000[1].

At March 1994, the latest date for which figures are available, the number of people receiving invalidity benefit over state pension age was 297,000[4].

Some people who are over state pension age and not in receipt of state pension may be deferring their pension in order to earn increments.

	Number of beneficiaries
Category A basic pension—men	3,322,150
Category A basic pension—women	2,421,010
Category BL basic pension—women	1,259,300
Category ABL basic pension—women	696,600
Category B—widows	1,751,190
Category B—widowers	540
Category A or B additional pension only	14,880
Graduated Retirement Benefit without Category A or B	125,910
Total	9,591,580

Note:
Key to table:
Cat A—pension derived from own contributions.
Cat BL—pension derived from spouse' contributions (figure includes a small proportion with underlying entitlement to Cat A pension where both husband and wife reached State Pension age before 6/4/79). Full rate is approximately 60 per cent. of Cat A rate.
Cat ABL—pension derived from both own and spouse's contributions. Full rate is approximately 60 per cent. of Cat A rate.
Cat B—pension derived from late spouse's contributions. Full rate same as Cat A.
Source:
[1] Government Actuary. Projection for 1995 based on 1994 population figures.
[2] 10 per cent. sample of Pension Strategy Computer System.
[3] 10 per cent. sample of Pension Strategy Computer System.
[4] 1. A small proportion may have no underlying entitlement to State Retirement Pension.
*Source*1 per cent. sample of all claims to Invalidity Benefit in GB, rounded to nearest thousand.

Child Support Disregard

Mr. Bayley: To ask the Secretary of State for Social Security what would be the cost in the 1996–97 financial year of providing a child support disregard of *(a)* £5 per week, *(b)* £10 per week and *(c)* £15 per week; and what are the assumptions upon which these three costings are based. [23331]

Mr. Andrew Mitchell: It is estimated that the cost of introducing a £5 maintenance disregard in 1996–97 would be around £50 million; the cost of a £10 disregard would be around £90 million; and the cost of a £15 disregard would be around £120 million. The annual cost of a disregard is likely to double over time as the Child Support Agency caseload increases.

These estimates apply the disregard to child support maintenance and other forms of child maintenance, and assume that the disregard would apply to lone parents and parents with care who have entered into a new partnership. Other assumptions include the number of full child support assessments where the parent with care receives income support, and rates of compliance by absent parents.

EDS Ltd.

Mr. Redmond: To ask the Secretary of State for Social Security (1) what out-sourcing contracts his agencies have with the EDS software computer system; what is the current cost; when the contract ends; what are the penalties involved should he seek early termination of the contract; and if he will make a statement; [23733]

(2) if he will set out the terms of the contract the Child Support Agency has with the EDS computer system; and if he will make a statement. [23539]

Mr. Andrew Mitchell: The contract to outsource the Department's data centre services was awarded to EDS Ltd. on 1 June 1995 and is for a period of 10 years. The contract is volume/output based with a value depending on future levels of business.

Current estimates are that charges will be in the region of £600 million over the 10-year period.

Other details relating to the terms and conditions of this contract, and the Child Support Agency's contract with EDS, are commercial in confidence.

Attendance Allowance

Mr. Hinchliffe: To ask the Secretary of State for Social Security how long a claimant of attendance allowance going abroad outside the European Union *(a)* may receive attendance allowance payments and *(b)* is entitled to resume attendance allowance payments; and if these entitlements are available to disability living allowance recipients. [24062]

Mr. Andrew Mitchell: A recipient of attendance allowance or disability living allowance going abroad, outside the European Union, may continue to receive that benefit provided that the conditions of entitlement continue to be met and their right to reside in Great Britain is not subject to any limitation or condition, for:

(a) up to 26 weeks if the absence, when it began, is for a temporary purpose and does not last for a continuous period exceeding 26 weeks; or

(b) as long as the absence is

(i) temporary and

(ii) for the specific purpose of being treated for incapacity, or a disabling condition, which begins before they leave Great Britain, and

(iii) the Secretary of State certifies that it is consistent with the proper administration of the Act that he should be treated as though he were present in Great Britain.

Special arrangements exist for people who are abroad as serving members of Her Majesty's forces and their families and for certain airmen, mariners and continental shelf workers.

On return to this country, people who meet the above conditions while abroad will continue to receive attendance allowance or disability living allowance, providing they continue to satisfy the conditions of entitlement and have no limitation placed on their right to reside in Great Britain. People who do not satisfy the above conditions whilst abroad may reclaim attendance allowance or disability living allowance on return to this country and requalify in the normal way.

Social Fund

Mr. Hinchliffe: To ask the Secretary of State for Social Security what guidance is issued to social fund adjudicating officers in cases where an application is made prior to establishing a fair rent on the applicant's tenancy. [24128]

Mr. Roger Evans: The Secretary of State's directions 12(o), 23(f) and 29(d) exclude a payment of a budgeting loan, crisis loan or community care grant respectively to meet housing costs, including rent. There is an exception to this rule for both budgeting loans and crisis loans for rent in advance where the landlord is not a local authority. Other exceptions which apply to these loans are charges for board and lodging accommodation and residential charges for hostels, other than for deposits. In the case of budgeting loans this is where such charges are payable in advance to secure accommodation. There is no guidance on the rent exclusion, since the directions are self explanatory. The Secretary of State's directions and guidance to social fund officers are contained in the social fund guide, a copy of which is held in the Library.

With the exceptions referred to above, the reason for excluding help with rent from the social fund is to avoid duplication of help from the housing benefit scheme. There are procedures in place to ensure that both local authorities and rent officers make timeous determinations of claims and that payment on account is made where a delay is not due to the claimant failing to supply all the necessary information.

National Audit Office

Mr. Byers: To ask the Secretary of State for Social Security how many files marked "Not for National Audit Office Eyes" are currently held by his Department. [24861]

Mr. Burt: There are 20 live master files in this Department marked "Not to be seen by National Audit Office (NAO) without reference to the appropriate Head of Division", sometimes abbreviated to "Not for NAO eyes". Each file usually relates to a specific NAO study and may run into number of volumes, covering the course of the study from feasibility work to the production of a Treasury minute. Each study could involve a number of divisions in different locations, who may hold duplicates of all or part of the master file, as necessary.

The marking "Not for NAO eyes" is used in accordance with an agreement between the Treasury and National Audit Office, under which documents relating to the handling of relations between Departments and the NAO and Public Accounts Committee are not automatically available to the NAO while they are current.

Industrial Injuries

Mr. Tipping: To ask the Secretary of State for Social Security when he expects to receive the report from the Industrial Injuries advisory committee on chronic bronchitis and emphysema; and if he will make a statement. [25180]

Mr. Clapham: To ask the Secretary of State for Social Security what were the main recommendations of the report of the Industrial Injuries Advisory Council review of the criterion used to diagnose chronic bronchitis and emphysema in coal mines; and when the report will be published. [24818]

Mr. Roger Evans: We have now received a copy of the Industrial Injuries Advisory Council report and are considering it carefully. The report will be published within the next few weeks.

Compensation Recovery Unit

Dr. Godman: To ask the Secretary of State for Social Security if he will list *(a)* the number of appeals against clawback decisions taken by the compensation recovery unit, *(b)* the number and percentage of which were successful and *(c)* the average amount repaid to successful appellants in each quarter of the last five years. [24002]

Mr. Roger Evans: This is a matter for Peter Mathison, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Ursula Brennan to Dr. Norman Godman, dated 16 April 1996:

As Peter Mathison is away from the office on annual leave at the moment, the Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking if he will list (a) the number of appeals against clawback decisions taken by the Compensation Recovery Unit (CRU), (b) the number and percentage of which were successful and (c) the average amount repaid to successful appellants in each quarter of the last five years.

Since the introduction of the scheme in 1990 to the 31 March 1996, 825 appeals against clawback decisions were received by the CRU. 682 have been processed so far, out of which 374 (54.8%) were successful. Of those which were successful, the CRU reviewed the decision without reference to the Independent Tribunal Service (ITS) in 318 cases and in the remainder of the cases the appeal was allowed/partially allowed by the ITS.

The average amounts repaid to successful appellants in each quarter of the last five years are given in the annex attached.

I hope you find this reply helpful.

Quarterly period	*Average amount repaid* £
1 April 1991 to 30 June 1991	5.81
1 July 1991 to 30 September 1991	675.54
1 October 1991 to 31 December 1991	91.76
1 January 1992 to 31 March 1992	2,972.98
1 April 1992 to 30 June 1992	3,015.68
1 July 1992 to 30 September 1992	1,584.84
1 October 1992 to 31 December 1992	2,199.72
1 January 1993 to 31 March 1993	1,519,10
1 April 1993 to 30 June 1993	2,014,29
1 July 1993 to 30 September 1993	5,948,50
1 October 1993 to 31 December 1993	3,003.87
1 January 1994 to 31 March 1994	2,350.49
1 April 1994 to 30 June 1994	4,610.49
1 July 1994 to 30 September 1994	2,894.40
1 October 1994 to 31 December 1994	2,712,33
1 January 1995 to 31 March 1995	5,447.71
1 April 1995 to 30 June 1995	3,238.33
1 July 1995 to 30 September 1995	5,590.87
1 October 1995 to 31 December 1995	6,032.08
1 January 1996 to 31 March 1996	4,545.16

Ms Lynne: To ask the Secretary of State for Social Security how many incoming telephone calls were made to the Child Support Agency client helpline; how many received ring tone no reply, number busy or number

unobtainable; how many were successfully answered; and what percentage of the total number of incoming calls were ineffective. [24645]

Mr. Andrew Mitchell: The administration of the Child Support Agency is a matter for the chief executive, Miss Ann Chant. She will write to the hon. Member.

Letter from Miss Ann Chant to Miss Liz Lynne, dated 16 April 1996:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about telephone calls made to the Child Support Agency.

Information on incoming calls to the Child Support Agency Client Help Line (CHL) is available for the period from September 1994 to February 1996, and the details are as follows: incoming calls 7,022,325; answered by BT National Screening Centre 933,844; answered by CHL 2,523,082; call terminated before being answered, number busy or unobtainable 3,565,399. Of the total calls received, 50.77% received neither a personal nor a recorded answer.

Like any other organisation where a great deal of contact with clients is by telephone, calls to the Agency that are initially unsuccessful for whatever reason (be it the client choosing to ring at another time or experiencing difficulty in connection) will almost certainly be repeated and the future contact will be successful.

Up to February 1995 calls were diverted to the BT National Screening Centre when they were unable to reach the CHL queue, and a recorded message was delivered to the caller. However, this was costly both for the Agency and the callers, and since February 1995 the diversion of calls has only taken place outside office opening hours.

I hope this is helpful.

EDUCATION AND EMPLOYMENT

Careers Service Companies

Mr. Olner: To ask the Secretary of State for Education and Employment what assessment she has made of the possible delays in the development and improvement in the services provided by the careers service companies from the competition process. [25173]

Mr. Paice: My right hon Friend the Secretary of State for Education and Employment is satisfied that careers service companies have continued to develop and improve the services they provide. Assessment of the service provided is in the chief inspector's annual report on the careers service, a copy of which is in the House of Commons Library.

Mr. Olner: To ask the Secretary of State for Education and Employment what sums she will make available to fund the careers advice for adults to be provided by the new careers advice companies. [25169]

Mr. Paice: The primary role of the careers service is to provide careers guidance to its statutory client group, who are young people in education and those who have recently left. The Government are investing over £200 million this year to support the careers service in this role. Careers service companies attract funding from a wide range of sources to fund their adult guidance activities, including indirectly from the Department.

Mr. Olner: To ask the Secretary of State for Education and Employment if she will make it her policy to license careers companies which satisfactorily meet their contractual obligations with her Department. [25175]

Mr. Paice: We have no plans to license careers service companies at this time.

Private Finance Initiative

Mr. Forman: To ask the Secretary of State for Education and Employment when she expects the reports of the joint study groups of Committee of Vice-Chancellors and Principals, Treasury and her Department's officials on the scope for private finance initiative in higher education. [24987]

Mr. Paice: My right hon. Friend the Secretary of State expects the joint working group to report to her in early summer.

Careers Advice

Mr. Olner: To ask the Secretary of State for Education and Employment what plans she has to provide careers advice for adults wishing to extend their education. [25171]

Mr. Paice: A consultation exercise has recently been undertaken to consider ways to take forward lifetime learning, including careers advice for adults. There was an excellent response from a wide range of interested parties, and this is now being analsyed. It would be premature to make any announcements at this stage. The Government will respond in due course.

Contracting

Mr. Olner: To ask the Secretary of State for Education and Employment if she will postpone or abandon the contracting round due to take place this year. [25174]

Mr. Paice: No. The contracts for the first round Pathfinder careers services end in March 1997. To secure the provision of services from April 1997 onwards, a prospectus will be published next month.

In-work Training

Mr. Jim Cunningham: To ask the Secretary of State for Education and Employment how many 16 to 24-year-olds in the west midlands are in in-work training; and, of those, how many are employed in the manufacturing industry. [25167]

Mr. Paice: The number of employed status trainees on major schemes funded by the Government via training and enterprise councils in the west midlands as at 25 February 1996 is:

Youth programmes = 13,728 (total in training 26,596)

Training for work = 341[1] (total in training 6,672)

Total: 14,069 (total in training 33,269)

[1]Includes 35 self employed.

It is not possible to extract the numbers employed in manufacturing from the overall figures.

Training and Enterprise Councils

Mr. Olner: To ask the Secretary of State for Education and Employment what sums have been provided in 1995–96 to fund the range of advice and information centres and other schemes run directly or indirectly by TECs; and what assessment she has made of the cost effectiveness of transferring these funds in future years to careers services. [25170]

Mr. Paice: In 1995–96 training and enterprise councils were provided with £13.4 million to fund careers guidance for 13 and 14-year-old children and £1.5 million to fund careers libraries. From April 1996 the routing of all careers guidance and careers libraries funding will be through careers services. This simplifies the way the money is provided since careers services—as direct providers of services—are closer to schools and colleges and to young people.

Mr. Hinchliffe: To ask the Secretary of State for Education and Employment what steps she is taking to ensure increased liaison between the local community and training and enterprise councils. [24056]

Mr. Paice: I refer the hon. Member to the reply given to him on 27 March, *Official Report,* column *620.*

Mr. Hinchliffe: To ask the Secretary of State for Education and Employment what are the current procedures for investigating a complaint against the training and enterprise councils; and what plans there are to bring the complaints system under the jurisdiction of the Parliamentary Commissioner for Administration. [24058]

Mr. Paice: As private companies, it is for training and enterprise councils to deal with any complaints made against them. The Parliamentary Commissioner for Administration has no jurisdiction over private companies. I welcome the fact that the TEC National Council's framework for local accountability, which is endorsed by all TECs, emphasises the necessity for TECs to have robust and well-publicised complaints procedures.

Mr. Hinchliffe: To ask the Secretary of State for Education and Employment what investigations she is undertaking into child care facilities provided by training and enterprise councils; what plans she has to promote a national uniformity of such facilities; and if she will make a statement. [24057]

Mrs. Gillan: All training and enterprise councils deliver the Department's out-of-school child care initiative, which gives grant support towards the start up costs of new out-of-school child care provision. In making grants to child care providers, TECs must have regard to four national criteria: quality, viability, labour market impact and extra child care places. Thereafter, the initiative is flexible and allows TECs to tailor the delivery to meet the needs of the local community. The initiative has been fully evaluated. A copy of the report, which was published on 23 January 1996, has been placed in the Library.

Mr. Hinchliffe: To ask the Secretary of State for Education and Employment what plans she has to include a commitment to equal opportunities as criteria for training and enterprise councils being issued with a three-year licence; and if she will make a statement. [24059]

Mr. Paice: Equal opportunities is already addressed in the licensing criteria. In addition, the licensing agreement requires licensed training and enterprise councils to implement their strategies for equal opportunities.

Mr. Hinchliffe: To ask the Secretary of State for Education and Employment what proposals she has to introduce a stricter policy on the disclosure of contracts for the training and enterprise councils; and if she will make a statement. [24060]

Mr. Paice: Training and enterprise councils are private companies. It is for them to decide whether they should disclose details of contracts within the guidelines of the code of practice on open government.

Mr. Hinchliffe: To ask the Secretary of State for Education and Employment what research she has undertaken to review the boundaries of training and enterprise councils areas; and if she will make a statement. [24061]

Mr. Paice: The existing network of training and enterprise councils reflects the make-up of local labour markets and the views of local partners, including the private sector. I have no plans to review boundaries, but would consider any proposals by TECs on their merits.

Left-handedness

Mr. Luff: To ask the Secretary of State for Education and Employment (1) what estimate she has made of the proportion of left-handed pupils in *(a)* primary and *(b)* secondary schools; [25368]

(2) what assessment she has made of the impact of left-handedness on educational attainment; and if she will make a statement. [25366]

Mrs. Gillan: Left-handedness is not recognised as a special educational need within the meaning of the Education Acts. The Department does not collect information on what proportion of pupils are left-handed, nor on whether being left-handed has an impact on likely educational achievement.

National Audit Office

Mr. Byers: To ask the Secretary of State for Education and Employment how many files marked "Not for National Audit Office Eyes" are currently held by her Department. [24851]

Mr. Robin Squire: The ex-Department for Education has 104 files marked "Not for NAO Eyes" out of a total of over 700,000. The several million records created by the former department of Employment are handled at a number of locations across the country and although some will be similarly marked, the number could be obtained only at disproportionate cost.

The marking is used in accordance with the agreement between the Treasury and the National Audit Office under which documents relating to the handling of relations between departments and the NAO and Public Accounts Committee are not automatically available to the NAO while they remain current.

ATTORNEY-GENERAL

National Audit Office

Mr. Byers: To ask the Attorney-General how many files marked "Not for NAO Eyes" are currently held by his Department. [24855]

The Attorney-General: The marking "Not for NAO Eyes" is used in accordance with an agreement between the Treasury and the National Audit Office, under which documents relating to the handling of relations between

Departments and the NAO and Public Accounts Committee are not automatically available to the NAO while they are current. There are 13 such files held in the Departments for which I am responsible, two of which are divided into two parts.

PRIME MINISTER

Interception of Communications Tribunal

Mr. Luff: To ask the Prime Minister what arrangements have been made following the expiry of the terms of appointment of the members of the interception of communications tribunal on 10 April; and if he will make a statement. [25619]

The Prime Minister: Sir David Calcutt QC has been appointed vice-president of the tribunal. He and Mr. Peter Scott QC have been re-appointed to the tribunal for a further period of five years. Two new members, Mr. Robert Seabrook QC and Mr. William Carmichael, have also been appointed for a term of five years.

Hong Kong

Mr. Byers: To ask the Prime Minister if he met *(a)* Li Ka Shing, *(b)* David Choy, *(c)* Rong Yien, *(d)* Stanley Ho, *(e)* T. T. Tsui and *(f)* C. H. Tung at events during his visit to Hong Kong. [24569]

The Prime Minister: I met a broad range of business men, politicians and other opinion formers during my recent visit. I understand that Mr. Li Ka Shing attended a dinner at which I was present and Mr. C. H. Tung was present at my meeting with the Executive Council, of which he is a member. I an not aware of any other occasion.

FOREIGN AND COMMONWEALTH AFFAIRS

British Council

Mr. McAllion: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) how many posts he estimates will be lost in the British Council over the next three years; and at what United Kingdom locations; [24912]

(2) what estimate he has made of the number of posts within the British Council which will be lost by redundancy over the next three years; and at what cost. [24913]

Mr. Hanley: Following the recent public expenditure survey settlement, the British Council is still discussing with us its proposal for future manpower levels and for the distribution of resources.

Mr. McAllion: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans the British Council has to close United Kingdom offices within the next three years. [24898]

Mr. Hanley: The British Council is looking at options for further restructuring its UK network. This could involve the closure of some offices.

Mr. McAllion: To ask the Secretary of State for Foreign and Commonwealth Affairs what were the annual budgets for the British Council for *(a)* 1994–95, *(b)* 1995–96 and *(c)* 1996–97; and what are the projected budgets for (i) 1997–98 and (ii) 1998–99. [24910]

Mr. Hanley: The information is as follows:

£ million

	1994–95	*1995–96*	*1996–97*	*1997–98*	*1998–99*
	Outturn	*Forecast*	*Supply estimates*	*Government figures from baselines, other income and agency*	*income from plans*
FCO: grant in aid	97.6	[1]102.7	[3]98.3	[3]95.3	[3]95.5 See note 3
ODA: grant in aid	34.5	[2]34.3	[4]32.7	[4]29	[4]26
Other income	123.2	138.2	142.6	147.6	157.4
Agency income	171.6	165.5	156.8	145.9	147.2
Total	426.9	440.7	430.4	417.8	426.1

[1] This figure includes £2.2 million overseas price mechanism and £2 million 1994–95 provision for capital expenditure rolled forward to 1995–96.
[2] This figure includes £750,000 OPM.
[3] These figures include estimates for OPM of £2.4 million.
[4] These planning figures exclude OPM.

Mr. McAllion: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his estimate of the effect of his proposed reductions in the British Council's budget over the next three years on the council's overseas operations. [24914]

Mr. Hanley: The reductions in the British Council's budget will require some adjustment to its overseas operations. The council has proposed a number of options which are still under consideration.

Mr. McAllion: To ask the Secretary of State for Foreign and Commonwealth Affairs how he proposes to fund future redundancies within the British Council. [24911]

Mr. Hanley: The question of the funding of future redundancies is under discussion.

Mr. McAllion: To ask the Secretary of State for Foreign and Commonwealth Affairs what are the current United Kingdom staffing levels within the British Council by location. [24915]

Mr. Hanley: The latest figures available for the British Council United Kingdom staffing levels, including the Central Bureau for Educational Visits and Exchanges, are as follows:

Area	*Number of staff*
London	[1]700.00
Manchester	[1]498.00
Belfast	13.50
Edinburgh	19.00

Area	Number of staff
Glasgow	6.50
Aberdeen	1.00
Dundee	2.00
Cardiff	6.00
Aberystwyth	0.25
Bangor	0.50
Swansea	0.25
Cambridge	2.50
Colchester	0.50
Norwich	0.50
Nottingham	2.00
Loughborough	2.00
Birmingham	2.50
Southampton	1.00
Brighton	1.00
Guildford	0.50
Canterbury	1.00
Bristol	3.00
Plymouth	1.00
Oxford	3.00
Reading	2.00
Newcastle	3.00
Leeds	2.00
Hull	0.50
Huddersfield	1.00
Sheffield	0.50
Total	1,277.50

[1] These figures are full time staff equivalents paid through Chessington Computer Centre, February 1996.
1. Numbers of posts in all the regions have been taken from the April 1996 UK regional directory.

Taiwan

Mr. Llwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on relations with Taiwan; and what plans he has to visit the country. [25158]

Mr. Hanley: Her Majesty's Government have no formal diplomatic relations with Taiwan. Informal links in trade, investment, tourism and educational exchanges have increased and improved in recent years.

I also refer the hon. Member to my response during the Adjournment debate on our relations with Taiwan on 13 March, *Official Report,* columns 940–47.

Neither I nor my right hon. and learned Friend the Foreign Secretary have plans to visit Taiwan.

National Audit Office

Mr. Byers: To ask the Secretary of State for Foreign and Commonwealth Affairs how many files marked "Not for NAO Eyes" are currently held by his Department. [24849]

Sir Nicholas Bonsor: This department currently holds 16 files marked "Not for NAO Eyes". This includes one file held at an overseas post.

The marking "Not for NAO Eyes" is used in accordance with an agreement between the Treasury and the National Audit Office, under which documents relating to the handling of relations between Departments and the NAO are not automatically available to the NAO while they are current.

Entry Clearance Staff

Mr. Fatchett: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to introduce charter standards for the work of entry clearance staff; and if he will make a statement. [25344]

Mr. Hanley: Entry clearance issuing posts conform with a set of standards laid down in "Best Practice", a copy of which will shortly be placed in the Library of the House. Those standards include the requirement that entry clearance sections operate within the spirit of the citizens charter.

Migration and Visa Correspondence Unit

Mr. Fatchett: To ask the Secretary of State for Foreign and Commonwealth Affairs how many letters from hon. Members were answered by the migration and visa correspondence unit in 1994; and how many were answered within 15 working days. [25345]

Mr. Hanley: The unit answered 6,137 letters. The number of letters to which the unit failed to reply within 15 working days in 1994 is not readily available, more than 93 per cent. of letters received in the first quarter of 1996 were replied to within 15 working days.

Visa Applications

Mr. Fatchett: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to ensure that a reference number is given to visa applications which are withdrawn at the pre-sift stage; and if he will make a statement. [25346]

Mr. Hanley: Entry clearance officers are required—in accordance with "Diplomatic Service Procedure: Entry Clearance", volume 1, chapter 6.6, a copy of which is in the Library of the House—to maintain a record of applicants who withdraw their applications after pre-assessment.

Mr. Fatchett: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to ensure that a decision by an entry clearance office to refuse a visa application is checked by an entry clearance manager; and if he will make a statement. [25347]

Mr. Hanley: Guidance on this to entry clearance officers is contained in "Diplomatic Service Procedure: Entry Clearance", volume 1, chapter 9.8, a copy of which is in the Library of the House.

AGRICULTURE, FISHERIES AND FOOD

Meat Safety

Mr. Hinchliffe: To ask the Minister of Agriculture, Fisheries and Food when recommendations from the Spongiform Encephalopathy Advisory Committee, concerning meat safety at slaughterhouses, specifically dealing with the deboning of cattle over 30 months in age, were communicated to slaughterhouses; how this was undertaken; and what measures will be taken in order to ensure compliance. [23211]

Mrs. Browning *[holding answer 1 April 1996]:* A consultation letter was sent out on the 28 and 29 March by my officials to all relevant organisations including those in the red meat industry, explaining the implications of SEAC's recommendations and the measures the Government are proposing to take to minimise the risk to the public from BSE, in the light of SEAC's advice. This includes detailed proposals for consultation on the deboning of cattle over 30 months in age, an indication of the immediate measures taking effect from 29 March relating to the banning from sale of meat over 30 months for human consumption, the banning of meat and bone meal from feedingstuffs and the new specified bovine material order and proposed amendments to the fresh meat regulations.

Further consultations, where appropriate, will be held with the industry. My officials will, of course, take due account of comments received from the slaughterhouse sector on all these issues.

The Meat Hygiene Service will be responsible for ensuring local compliance with these regulations. Fresh instructions have been issued to MHS, and resources are currently being deployed on a national basis, to ensure strict adherence to all of the measures necessary to restore public confidence in beef.

Contracts

Mr. Donohoe: To ask the Minister of Agriculture, Fisheries and Food how many contracts for goods or services have been awarded by his Department and its executive agencies on the basis of single negotiated contracts in each of the last three years; if he will list the companies involved and the value of the contract in each case; what percentage this represented of contracts awarded by his Department and its agencies after competitive tendering; and, in each case, why the contracts were awarded on the basis of a single negotiated tender. [22864]

Mr. Boswell: From records held centrally, over the last three financial years the Ministry of Agriculture, Fisheries and Food and its executive agencies have let 383 contracts via the single negotiated process. These represent 19 per cent. of the total number reported in my recent reply.

The additional information requested, where it is not confidential, has been listed in the schedules. However, it has not been possible with the resources available to list the reasons why individual decisions to use single negotiated tender were taken. The cost would have been entirely disproportionate. The criteria available to the Ministry for opting for single negotiated contracts are limited and encompass time constraints which do not permit competitive tendering; technical compatibility with existing equipment or systems; or numbers of suppliers restricted to non-competitive levels.

Where research is concerned, much is done under long-standing commissions or "umbrella" contracts with research councils and other bodies. Apart from these, free-standing contracts are awarded, some of which are single tender negotiated contracts. The latter option is taken either when there is reasonable certainty that there is only one contractor with the knowledge to undertake the work, or when the idea for work comes through a concept note and it would clearly be an infringement of intellectual property rights and unfair on the contractor concerned to allow others access to the idea.

Schedule A: Non-Research and Development

Contractor	*Type*	*1993–94* £	*1994–95* £	*1995–96* £
Natural History Museum	Evaluation work	14,285	—	—
Company not disclosed	Evaluation work	4,313	5,298	—
		2,938	—	—
		2,938	—	—
Til Occam	Evaluation work	4,113	2,738	—
		4,113	—	—
		2,991	—	—
		1,246	—	—
Company not disclosed	Evaluation work	2,100	1,575	—
		2,168	—	—
Campden Food and Drink	Evaluation work	2,165	—	—
		3,739	—	—
		590	—	—
Hazleton	Evaluation work	3,123	—	—
		588	—	—
		940	—	—
		1,763	—	—
CSL	Evaluation work	7,673	10,171	3,830
		—	3,288	3,227
		—	2,563	4,880

Schedule A: Non-Research and Development

Contractor	*Type*	*1993–94* £	*1994–95* £	*1995–96* £
ADAS	Evaluation work	7,638	—	—
		7,915	—	—
British Library	Evaluation work	823	—	—
		411	—	—
		93	—	—
Water Research Centre plc	Evaluation work	2,816	—	—
		4,217	—	—
		10,358	—	—
Soil Survey and Land Research Centre (Silsoe)	Evaluation work	6,247	—	4,465
(aka Cranfield University)		4,404	—	4,465
Inveresk Research	Evaluation work	1,469	—	—
		2,938	—	—
		1,469	—	—
Company not disclosed	Evaluation work	5,346	—	—
		9,623	—	—
		823	—	—
		1,069	—	—
Ecosurveys Ltd.	Evaluation work	1,763	—	—
		3,922	—	—
		1,137	—	—
		758	—	—
Imperial College Consultants Ltd.	Evaluation work	2,820	—	—
Consultants in Environmental Services	Evaluation work	7,344	—	4,179
		2,535	—	—
CITERA	Evaluation work	2,350	—	—
		1,083	—	—
Natural Resources Institute (NRI)	Evaluation work	3,738	—	—
Natural Environment	Evaluation work	9,750	—	—
Company not disclosed	Evaluation work	354	—	—
Company not disclosed	Evaluation work	—	—	500
DBL Consultancy	Consultancy	1,375	162	—
		485	—	—
		646	—	—
		323	—	—
		646	—	—
Touchstone	Consultancy	—	1,049	—
Ingres Consultancy	Consultancy	—	479	—
Triad		30,848	—	—
Laboratory of the Government Chemist (LGC)		755,000	711,000	697,400
Long Ashton Aquatic Weeds Research Centre		—	12,000	—
Laboratory of the Government Chemist (LGC)	Advice, support and assessment	30,000	30,000	30,000
Local Authorities Co-ordinating Body on Food and Trading Standards (LACOTS)	Sample collection in meat and animal products	—	32,900	15,000
BMRB International		—	50,760	49,350
Clifmar Associates	Analysis of samples	—	—	51,941
Fray Design Ltd.	Specialist Furniture	1,903	13,588	—
Frame Express	Specialist Furniture	1,537	—	—
Arthur Brett	Specialist Furniture	8,646	2,244	—
Storacell Voice System Ltd.	Call sequence for hotline and upgrade of system	9,943	9,204	—
BT Sales	Terminal for Hotline	4,834	18,919	—
Reprographic Services (UK) Ltd.	Document Management Service	160,000	—	—
Taylor, Young and Partners	Design study Northallerton	10,000	—	—
	Design study Exeter	9,000	—	—
	Additional work Northallerton	4,500	—	—
Benson Network Support Systems (BNSS)	Part 1 project record system	6,485	—	—
	MMU Reporting Database	7,648	—	—
Herring Baker Harris	Valuation of ADAS centres	—	10,543	—
Peter Smith Associates	Furniture move	—	—	4,659
Yates, Edge Greatorex	Incinerator CSL York	—	—	75,000
Midlands Electricity plc	Utility	—	161,843	71,082
Eastern Electricity plc	Utility	—	89,647	90,583
British Gas plc	Utility	—	61,915	—
Southern Electric	Utility	—	55,739	53,673
East Midlands	Utility	—	53,035	—

Schedule A: Non-Research and Development

Contractor	*Type*	*1993–94* £	*1994–95* £	*1995–96* £
South Western Electricity	Utility	—	52,771	—
Norweb plc	Utility	—	—	79,519
British Telecommunications plc	Telecoms	—	632,078	675,833
The Quentin Bell Organisation plc	Publicity	—	462,520	202,703
Postage by Phone Pitney Bowes plc	Postage	—	127,300	132,050
Post Office Counters Ltd.	Postage	—	100,360	80,110
Royal Mail	Postage	—	74,627	66,578
The Meteorological Office	Data	—	167,336	103,044
Ordnance Survey	Data	—	—	—
Total of contracts		1,210,814	2,957,652	2,504,072
Number of contracts		66	41	33

Schedule B: Research and Development

Contractor	*Total cost*
Contracts issued 1994–95	
Aberdeen University, Zoology	19,085
AEA Technology, Consultancy Services	58,118
Alan Martin Associates	10,802
Ashbourne Biosciences	32,879
Aston University, Department Pharmaceutical and Biological Studies	58,950
B and P Instrumentation Ltd.	16,380
BBSRC, Silsoe Research Institute	114,373
BBSRC, Silsoe Research Institute	68,449
Beta Technology Ltd.	43,200
Biotechnology and Biological Sciences Research Council Institutes[1]	20,383,395
Bristol University	64,471
Bristol University[1]	105,974
Bristol University, Department Agricultural Sciences	32,540
Bristol University, Food Refrigeration and Proc. Eng.	8,419
Bristol University, Veterinary Medicine	113,127
Cambac JMA Research Ltd.	240,979
Coventry University, Environmental Research + Consultancy	177,409
Cranfield University[1]	1,456.500
Department of Transport	33,520
East Anglia University, School of Biological Science	106,510
Elm Farm Research Centre	92,000
Environmental Research Technology Ltd.	58,180
Game Conservancy Trust	97,155
GENUS	214,346
Glasgow University	91,162
Glasgow University, Veterinary School	40,974
H. R. Wallingford Group Ltd.[1]	673,200
Harper Admas Agricultural College	172,137
Horticulture Research International[1]	19,371,951
IACR, Institute of Arabie Crops Research	294,753
IACR, Long Ashton Research Station	29,896
IACR, Rothamsted Experimental Station	40,951
IACR, Rothamsted Experimental Station	52,640
IGER, Aberystwyth Research Station	143,149
Institute of Oceanographic Sciences	38,228
Institute of Plant Science Research	297,038
Leicester University, Department of Botany	159,957
Leicester University, Department of Zoology	126,566
Leicester University, Mass Communication Research	77,392
Manchester University, Department of Pharmacy	25,066
Marine Resource Consultants Ltd.	4,500
Medical College, St. Batholomew's Hospital	121,240
National Institute of Agricultural Botany	60,534
National Institute of Agricultural Botany[1]	313,876
Natural Environment Research Council Institutes[1]	2,944,177
Natural Resources Institute	58,413
NERC, Institute of Terrestial Ecology, Edinburgh	470,353
Nottingham University, Applied Biochemistry and Food Science	28,558
Nottingham University, Department Physiology and Environmental	66,160
Nottingham University, Department of Genetics	51,305

Contractor	*Total cost*
Contracts issued 1994–95	
Aberdeen University, Zoology	19,085
AEA Technology, Consultancy Services	58,118
Alan Martin Associates	10,802
Ashbourne Biosciences	32,879
Aston University, Department Pharmaceutical and Biological Studies	58,950
B and P Instrumentation Ltd.	16,380
BBSRC, Silsoe Research Institute	114,373
BBSRC, Silsoe Research Institute	68,449
Beta Technology Ltd.	43,200
Biotechnology and Biological Sciences Research Council Institutes[1]	20,383,395
Bristol University	64,471
Bristol University[1]	105,974
Bristol University, Department Agricultural Sciences	32,540
Bristol University, Food Refrigeration and Proc. Eng.	8,419
Bristol University, Veterinary Medicine	113,127
Cambac JMA Research Ltd.	240,979
Coventry University, Environmental Research + Consultancy	177,409
Cranfield University[1]	1,456.500
Department of Transport	33,520
East Anglia University, School of Biological Science	106,510
Elm Farm Research Centre	92,000
Environmental Research Technology Ltd.	58,180
Game Conservancy Trust	97,155
GENUS	214,346
Glasgow University	91,162
Glasgow University, Veterinary School	40,974
H. R. Wallingford Group Ltd.[1]	673,200
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IACR, Rothamsted Experimental Station	52,640
IGER, Aberystwyth Research Station	143,149
Institute of Oceanographic Sciences	38,228
Institute of Plant Science Research	297,038
Leicester University, Department of Botany	159,957
Leicester University, Department of Zoology	126,566
Leicester University, Mass Communication Research	77,392
Manchester University, Department of Pharmacy	25,066

Contractor	*Total cost*
Marine Resource Consultants Ltd.	4,500
Medical College, St. Batholomew's Hospital	121,240
National Institute of Agricultural Botany	60,534
National Institute of Agricultural Botany[1]	313,876
Natural Environment Research Council Institutes[1]	2,944,177
Natural Resources Institute	58,413
NERC, Institute of Terrestial Ecology, Edinburgh	470,353
Nottingham University, Applied Biochemistry and Food Science	28,558
Nottingham University, Department Physiology and Environmental	66,160
Nottingham University, Department of Genetics	51,305
Oxford University	6,150
Oxford University, Growth and Development	26,655
Oxford University, Zoology	140,478
Phoenix Research Laboratory	66,165
Portsmouth University, Economic Department	8,885
Reading University[1]	113,648
Roslin Institute, Edinburgh	77,660
Rowett Research Institute	151,238
Royal Veterinary College	101,957
Royal Veterinary College	99,787
Scottish Agricultural College, Ayr	25,092
Scottish Agricultural College, Edinburgh	162,405
Sea Fish Industry Authority[1]	148,900
Sea Mammal Research Unit	88,853
Silsoe College, Cranfield Institute of Technology	180,095
Southampton University	10,000
Southampton University, School of Biological Science	319,392
Stirling University, Institute of Agriculture	158,152
Stirling University, Institute of Agriculture	28,329
Surrey University, Biological Sciences	18,650
Surrey University, Biological Sciences	9,325
Surrey University, Biological Sciences	255,129
Surrey University, Management Studies for Tourism	388,342
TecnEcon Ltd.	13,897
UCNW, Marine Science	113,522
UCNW, Ocean Sciences	77,925
UCNW, Ocean Sciences	80,925
UL, Imperial College of Medicine and Science	43,780
UL, University College, Department of Geography	162,059
United Kingdom Atomic Energy Authority	400
University of Hertfordshire	197,772
University Wales, Bangor	122,566
University Wales, Cardiff, School Pure + Applied Biology	16,875
Wales University, Swansea	7,874
Wisdom Agricultural Limited	92,428
	95,549,295
Contracts Issued during 1995–96	
ABP Research and Consultancy Ltd.	23,500
Alistair Hardy Foundation for Ocean Science	492,868
Aston University, Department Pharmaceutical and Biological Studies	9,500
Aston University, Department Pharmaceutical and Biological Studies	48,625
BBSRC, Silsoe Research Institute	196,493
Beta Technology Ltd.	44,200
Beta Technology Ltd.	88,400
Bradford University, Food Policy Research Unit	67,781
Bristol University	57,137
Bristol University[1]	1,855,612
Bristol University, Veterinary Medicine	279,327
Bristol University, Veterinary Medicine	227,901
British Trust For Ornithology	1,277
Cambac JMA Research Ltd.	86,923
Cambridge Laboratory	279,908
Cambridge University	93,118

Contractor	*Total cost*
Central Science Laboratory	399,598
CSL, Harpenden	146,911
Dr. P. J. Dare	11,100
Forest Research Station (Alice Holt)	81,000
Forestry Authority	20,000
Glasgow University, Marine Biological Station	196,850
Gould Rural Environmental Ltd.	22,916
Horticulture Research International[1]	9,517,820
H. R. Wallingford Group Ltd.	234,000
HRI, Wellesbourne	125,515
HRI, Wellesbourne	210,065
Hydraulics Research Wallingford Group Ltd.	225,000
IACR, Broom's Barn Experimental Station	72,632
IACR[1]	2,838,677
IACR, Institute of Arable Crops Research	60,045
IGER, Inst. of Grasslands and Environment Research	93,877
IGER, Inst. of Grasslands and Environment Research	490,000
IGER[1]	3,928,922
IAH[1]	5,547,933
Institute of Occupational Medicine Limited	217,278
Institute of Zoology	154,317
IPS[1]	415,000
IPSR, John Innes Centre	149,257
John Spenser	2,000
Joint Nature Conservation Committee	4,255
Leatherhead Food Research Association	10,703
Levington Agriculture Ltd.	136,545
Liverpool University	184,575
Liverpool University	140,751
Lynch, Professor	15,034
Mylnefield Research Services Ltd.	87,565
National Trust	2,000
Natural Environment Research Council Institutes[1]	2,021,210
Nottingham University, Agriculture and Horticulture	221,501
Nottingham University, Faculty Agriculture and Food Science	94,440
Oxford University, Zoology	162,144
Plymouth University	163,676
Portsmouth University, Economic Department	100,501
Portsmouth University, Economic Department	2,200
Professor H. Kay	5,000
Reading University[1]	23,156
Richardson, Professor	7,625
Rodgers, Dr. Chris J	21,000
Roslin[1]	1,116,794
Roslin Institute, Edinburgh	275,512
Roslin Institute, Edinburgh	106,843
Royal Agricultural College	75,364
School of Ocean Sciences	138,037
Scottish Agricultural College, Edinburgh	113,338
Sea Fish Industry Authority	376,312
Southampton University	265,160
Southampton University, Department Oceanography	218,995
SRI[1]	1,665,489
Strathclyde University, Bioscience and Biotechnology	121,865
Strathclyde University, Statistics and Modelling	29,820
Surrey University, Biological Sciences	106,566
Surrey University, Biological Sciences	23,250
UL Queen Mary and Westfield College Sch. of Biol Sci	50,382
UL, Wye College, Horticulture	258,835
Univ. Aberdeen, Arkleton Cent. Rural Development	13,983
University of East Anglia	168,215
University of Hull	6,970
University of York, Department of Biology	119,143
University Wales, Bangor, Biological Sciences	202,864

Contractor	*Total cost*
University Wales, Cardiff, School Pure + Applied Biology	10,325
University Wales, Cardiff, School Pure + Applied Biology	30,975
University Wales, Cardiff, School Pure + Applied Biology	174,241
Williams, Dr.	6,825
	61,562,485

Mr. Donohoe: To ask the Minister of Agriculture, Fisheries and Food what guidelines are currently in force in his Department and its executive agencies relating to competitive tendering and the use of single negotiated tenders; on what grounds single negotiated tenders can be used; and what procedures are in place within his Department to ensure that the use of single negotiated tenders in competitive tendering processes is justified in all cases. [22850]

Mr. Boswell: The Government's public purchasing policy consolidated guidelines require goods and services to be acquired by competition unless there are convincing reasons to the contrary. In addition, the EC procurement directives and the World Trade Organisation government procurement agreement require most contracts above specified thresholds to be awarded following competition, subject to certain specified exceptions. The central unit on procurement's guidance note No. 40 provides an overview of best practice in the competitive tendering process.

In carrying out its purchasing my Department follows these guidelines and has, where possible, incorporated them directly into its own internal guidance. It is intended to consolidate the available guidance as part of the review of the Ministry's purchasing procedures and guidance manual, which is currently under way.

The criteria for opting for single negotiated contracts are limited and encompass time constraints which do not permit competitive tendering; technical compatibility with existing equipment or systems; or numbers of suppliers restricted to non-competitive levels. Formal arrangements for controlling the use of single negotiated contracts will also be incorporated in the revised purchasing procedures and guidelines manual.

Bovine Spongiform Encephalopathy

Mr. Hinchliffe: To ask the Minister of Agriculture, Fisheries and Food what action is taken to ensure that blades used for dismembering potentially BSE infected material at slaughterhouse are disinfected. [23212]

Mrs. Browning *[holding answer 1 April 1996]:* The Meat Hygiene Service ensures that equipment which comes into contact with fresh meat is cleansed and disinfected frequently during the course of the working day, as required by the Fresh Meat (Hygiene and Inspection) Regulations 1995 as amended. Sterilisers are sited close to work stations to enable this to be done.

National Audit Office

Mr. Byers: To ask the Minister of Agriculture, Fisheries and Food how many files marked "Not for National Audit Office Eyes" are currently held by his Department. [24845]

Mr. Boswell: The marking "Not for NAO Eyes" is used in accordance with an agreement between the Treasury and the National Audit Office, under which current documents relating to the handling of relations between Departments and the NAO are not automatically available to the NAO. The use of the marking is strictly controlled and is removed from files as soon as the subject matter is no longer current.

There are unlikely to be a great number of files with this marking but the Department does not have a centralised registry system and to collect this information from the large number of individuals registries would be disproportionately expensive.

Nitrates

Mr. Burden: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the results of the research by Aberdeen university in 1995, commissioned by his Department, on the effect of dietary nitrate intake. [25030]

Mrs. Browning: This study at Aberdeen university on the metabolism of dietary nitrate in man is not due for completion until the spring of 1997. Preliminary results suggest that nitrate may play a significant role in protecting the body from bacterial infection, although a full assessment of this work cannot be made until its completion.

Environmental Impact Assessments

Ms Ruddock: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 21 February, *Official Report*, column *180*, on what occasions an environmental impact assessment is required for the intensification of uncultivated land. [25322]

Mr. Boswell *[holding answer 16 April 1996]:* Environmental assessment will be required where the use of such land for intensive agricultural purposes is likely to have significant effects on the environment.

Ms Ruddock: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 21 February, *Official Report*, column *180*, how many environmental statements his Department expects will be required as a result of the regulations on environmental assessments for the use of uncultivated land. [25323]

Mr. Boswell *[holding answer 16 April 1996]:* The number of environmental statements will depend in part on the terms of the regulations to be introduced.

Compliance Cost Assessments

Ms Ruddock: To ask the Minister of Agriculture, Fisheries and Food how many compliance cost assessments were produced by his Department in 1995; and if he will place copies in the Library. [25324]

Mr. Boswell *[holding answer 16 April 1996]:* Sixty-four compliance cost assessments were produced by the Ministry in 1995. In accordance with Government policy, all were placed in the Library of the House.

WALES

Equal Opportunities

Mr. Llwyd: To ask the Secretary of State for Wales what plans he has to increase the number of women employed in senior positions in public bodies in Wales; and if he will make a statement. [25007]

Mr. Gwilym Jones: All public bodies in Wales are expected to have full regard to equal opportunities policies.

A465

Mr. Llwyd: To ask the Secretary of State for Wales what estimate he has made of the final cost of construction on the A465 from Aberdulais to Glyn Neath; and if he will make a statement. [24993]

Mr. Gwilym Jones: The tender sum for the A465 Aberdulais to Glynneath contract is £45.7 million, excluding VAT. Construction work is ongoing and the final cost will not be known until the completion and final settlement of the contract.

Gwynedd Economy

Mr. Llwyd: To ask the Secretary of State for Wales what assessment he has made of the proportion of the Gwynedd economy which is represented by *(a)* tourism, *(b)* slate quarrying, *(c)* farming and fishing and *(d)* the power industry; and if he will make a statement. [25032]

Mr. Gwilym Jones: An assessment by industry of the Gwynedd economy in terms of employment can be made using data from the 1993 census of employment. The available data are on the Nomis database, which can be accessed by the staff of the Library of the House.

Mr. Llwyd: To ask the Secretary of State for Wales what percentage of the work force in each local authority area in Gwynedd are in part-time employment; and if he will make a statement. [25020]

Mr. Jones: Data on the number of full-time and part-time employees in each local authority area in Gwynedd are available from the 1993 census of employment. The information is on the Nomis database, which can be accessed by the staff of the Library of the House.

Severn Bridge (Toll Charges)

Mr. Llwyd: To ask the Secretary of State for Wales what representations he has received regarding the effect of current Severn bridge tolling charges and practices on tourism in Wales; and if he will make a statement. [25018]

Mr. Gwilym Jones: No recent representations have been received regarding the effect of current Severn bridge tolling charges and practices on tourism in Wales.

A470 Extension

Mr. Llwyd: To ask the Secretary of State for Wales what estimate he has made of the final cost of the A470 extension of the Cardiff to Merthyr trunk road to the A465 heads of the valleys road to Cefn Coed; and if he will make a statement. [24994]

Mr. Gwilym Jones: The Pentrebach to Cefn Coed scheme, which extends the A470 trunk road to the A465 and Cefn Coed, comprises three separate contracts with a total tender value of £34.3 million excluding VAT.

Construction work is ongoing and the final cost will not be known until the completion and final settlement of the contracts.

Community Care

Mr. Morgan: To ask the Secretary of State for Wales what plans he has to collect statistics on the numbers of *(a)* elderly persons and *(b)* others in receipt of community care assistance via local authority social services expenditure who have had to sell their house to comply with means testing of assets. [25394]

Mr. Hague: I have no such plans.

Inward Investment

Mr. Alan W. Williams: To ask the Secretary of State for Wales if he will list the levels of inward investment in each county in Wales in each year since 1990. [25334]

Mr. Gwilym Jones: The statistics, on a financial year basis, are contained in the following tables:

Year	*Projects*	*New jobs*	*Safe jobs*	*Spend (£ million)*
Clwyd				
1990–91	43	3,244	264	179.671
1991–92	47	1,477	874	87.517
1992–93	40	1,579	835	332.399
1993–94	37	1,927	1,145	345.612
1994–95	23	647	609	81.812
1995–96	22	519	233	93.094
Dyfed				
1990–91	6	65	948	24.284
1991–92	11	331	960	56.034
1992–93	13	132	875	106.527
1993–94	9	278	493	24.469
1994–95	11	381	140	11.294
1995–96	12	279	176	12.448
Gwynedd				
1990–91	5	380	—	6.440
1991–92	24	478	1,243	73.634
1992–93	22	618	391	25.482
1993–94	9	234	651	13.619
1994–95	12	449	205	32.629
1995–96	6	89	—	3.205
Gwent				
1990–91	31	1,349	242	112.818
1991–92	35	1,811	1,801	121.565
1992–93	42	1,396	2,080	133.639
1993–94	27	3,074	1,292	204,775
1994–95	20	1,393	198	80.802
1995–96	25	2,073	985	359.733
Powys				
1990–91	3	57	—	0.655
1991–92	24	648	—	68.544
1992–93	22	653	95	6.677
1993–94	17	403	58	17.043
1994–95	24	453	245	214.447
1995–96	15	263	10	9.560

Year	*Projects*	*New jobs*	*Safe jobs*	*Spend (£ million)*
Mid Glamorgan				
1990–91	28	1,109	2,343	89.986
1991–92	30	2,907	1,370	482.625
1992–93	29	1,181	1,672	125.431
1993–94	38	1,020	487	82.450
1994–95	25	723	1,103	66.433
1995–96	26	1,794	2,739	128.015
South Glamorgan				
1990–91	18	1,740	442	121.450
1991–92	21	632	651	206.985
1992–93	22	810	959	182.317
1993–94	16	776	217	27.908
1994–95	7	1,140	808	400.775
1995–96	7	1,004	1,327	339.575
West Glamorgan				
1990–91	13	963	1,825	49.835
1991–92	16	849	747	58.320
1992–93	11	258	324	36.990
1993–94	15	299	1,513	49.167
1994–95	9	417	255	32.550
1995–96	9	779	378	30.544

National Audit Office

Mr. Byers: To ask the Secretary of State for Wales how many files marked "Not for NAO Eyes" are currently held by his Department. [24857]

Mr. Hague: There are 106 files or parts of files in my Department—out of an estimated total of over 1,000,000—marked "Not for NAO Eyes".

Road Congestion

Mr. Roy Hughes: To ask the Secretary of State for Wales if he will publish maps showing forecasts of future road congestion in Wales on the same basis as those published for England. [25494]

Mr. Gwilym Jones: My right hon. Friend and I have no proposals at the present time to publish similar maps for Wales.

NORTHERN IRELAND

Agriculture and Rural Development Scheme

Mr. McGrady: To ask the Secretary of State for Northern Ireland what plans he has to restore the suspended special programme for the agriculture and rural development scheme. [21745]

Mr. Ancram: A decision about re-opening the capital grant elements of the sub-programme for agriculture and rural development can be made only when we have assessed the finances needed to honour the current commitments on farmers' applications, but we are not in a position to do this as yet.

National Audit Office

Mr. Byers: To ask the Secretary of State for Northern Ireland how many files marked "Not for National Audit Office Eyes" are currently held by his Department. [24846]

Sir John Wheeler: The responsibility of the National Audit Office does not extend to the six Northern Ireland Departments, which have their own similarly appointed body: the Northern Ireland Audit Office.

There are 13 files in Northern Ireland Departments marked "Not for Northern Ireland Audit Office Eyes".

The marking "Not For NIAO Eyes" is used in accordance with an agreement between the Department of Finance and Personnel and the Northern Ireland Audit Office under which documents relating to the handling of relations between Departments and the NIAO are not automatically available to the NIAO while they are current.

The information in respect of the Northern Ireland Office could be provided only at disproportionate cost.

Dedicated Memorials (Service Personnel)

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland, pursuant to his answer of 25 March, *Official Report*, column *439*, what is his policy in respect of the names of service personnel killed in Northern Ireland being inscribed on dedicated memorials; and what are the reasons for that policy. [25194]

Mr. Moss: The policy in respect of existing war memorials is that only the names of those killed in a war may be inscribed on them. The civil disturbances in Northern Ireland have not been considered as a war situation. Policy in Northern Ireland, as outlined in existing legislation, is in line with that in Great Britain.

Gas Interconnector

Mr. Hume: To ask the Secretary of State for Northern Ireland if he will make a statement on the EU support grant for the gas interconnector with Scotland and the conversion of Ballylumford power station indicating which geographic areas, communities and sectors in Northern Ireland were specified in the application to the European Commission as the intended beneficiaries. [24868]

Mr. Ancram: EU grant for the gas interconnector with Scotland and the conversion of Ballylumford power station is being provided under the natural gas measure contained in the Northern Ireland single programming document 1994–99. The objectives of the measure include diversification of Northern Ireland's energy sources and the introduction of further competition into the energy system. Specific geographic areas, communities and sectors are not listed as beneficiaries.

Written Answers to Questions

Thursday 18 April 1996.

TRANSPORT

Highways Agency

Mr. Gordon Prentice: To ask the Secretary of State for Transport under what statutory authority local authorities may contract the Highways Agency to carry out work on the agency's behalf. [24965]

Mr. Watts: I have asked the chief executive of the Highways Agency to write to the hon. Member.

Letter from Lawrie Haynes to Mr. Gordon Prentice, dated 18 April 1996:

The Secretary of State for Transport has asked me to reply to your recent question concerning the statutory authority under which local authorities may contract with the Highways Agency to carry out work on the Agency's behalf.

The Secretary of State for Transport ("the Secretary of State") is responsible for the provision and maintenance of a trunk road network (including motorways) throughout England. All contracts arranged by the Highways Agency are arranged on behalf of, and entered into by, the Secretary of State. Also it should be noted that local authorities as creatures of statute are only permitted to carry out those functions which are expressly conferred on them by statute.

At present there are two principal statutory provisions which empower local authorities to contract with the Secretary of State to carry out his trunk road functions. The first of these is section 6(1) of the Highways Act ("the 1980 Act"), the second, section 6(5) of the Act.

Section 6(1) of the 1980 Act enables a local authority (which is a local highway authority) to enter into an agreement with the Secretary of State under which the Secretary of State delegates his functions in respect of maintenance, improvement and certain other dealings in relation to trunk roads, to the local highway authority. Under such a "delegation of functions" agreement, the local highway authority assumes responsibility for the maintenance, and improvement and other related matters subject to the terms of the agreement and the conditions set out in section 6. (Local highways authorities are local authorities which are county councils, district councils which are unitary councils, metropolitan district councils or London borough councils).

Section 6(5) of the 1980 Act enables a local highway authority to enter into an agreement with the Secretary of State for specific trunk road works—eg, the construction or improvement by the local highway authority of a trunk road. Section 6(5) does not cover specific works of maintenance.

Local highway authorities (and other councils) also have power to enter into contracts with the Secretary of State to carry out the Secretary of State's work under the following provisions of the 1980 Act:

Section 9 enables a council to enter into an agreement with the Secretary of State to second staff and equipment to the Secretary of State for the purposes of carrying out his work in connection with trunk roads;

Section 89 enables the Secretary of State to enter into an agreement with a local highway authority to delegate his functions in relation to the provision and removal of cattle grids to the local highway authority;

Section 90(3) enables a local highway authority and the Secretary of State to enter into an agreement for the local highway authority to construct road humps which the Secretary of State has power to construct;

Section 98 enables a local authority which is a lighting authority, to enter into an agreement with the Secretary of State under which the Secretary of State delegates his functions of lighting a trunk road, to the local authority;

Section 113 enables a council to enter into an agreement with the Secretary of State under which the Secretary of State delegates all or any of his functions with respect to the provision or management of a trunk road picnic area or of public sanitary conveniences to the council; and

Section 115 enables a council to enter into an agreement with the Secretary of State under which the Secretary of State delegates his functions in relation to trunk road lorry parking areas to the council.

In addition to the above provisions, section 4 and 5 of the 1980 Act empower a local highway authority to contract with the Secretary of State primarily to agree who will have responsibility for dealing with particular roads—as they are not strictly powers enabling a local highway authority to carry out the Secretary of State's highway work for him they do not merit more than a passing reference.)

Since 14th March 1996, local highway authorities have had power to contract with the Secretary of State (subject to specified conditions) to carry out maintenance works on certain trunk roads and provide technical, administrative, or professional services in connection with such trunk roads. The trunk roads which are the subject of such contracts are trunk roads which have been, or are, the subject of a DBFO scheme. (A DBFO scheme is a scheme where a contractor agrees to design, build, finance and operate and maintain a trunk road sometimes for a period of up to 30 years). These contracting powers are set out in article 3, 6 and 7 of the Local Authorities (Goods and Services) (Public Bodies) (Trunk Roads) Order 1996 S.I. 1996/342. These provisions designate the Secretary of State as a "public body" (subject to specified restrictions) under the Local Authorities (Goods and Services) Act 1970. The effect of the designation is to allow local highway authorities additional powers to contract with the Secretary of State for the purposes described above.

It may be helpful to add that as from July 1996, the Secretary of State is hoping (subject to comments received from a consultation exercise) to make a further order under the Local Authorities (Goods and Services) Act 1970. The proposed Order will further expand the contracting powers of local highway authorities by designating the Secretary of State as a "public body" once again but this time in relation to trunk roads not covered by the earlier order (which applied only in the context of DBFO schemes). The proposed Order will enable local highway authorities to enter into contracts with the Secretary of State for carrying out works of maintenance on all other trunk roads—for example, maintenance term and works contracts. In addition it will also enable local highway authorities to enter into the other types of contract permitted under the Local Authorities (Goods and Services) Act 1970 with the Secretary of State—for example, the provision of technical, administrative and professional services in connection with such other trunk roads.

A40

Mr. Nigel Jones: To ask the Secretary of State for Transport what plans he has to de-trunk the A40 through Cheltenham; and if he will make a statement. [24902]

Mr. Watts: It has long been the Department's intention to change the trunk road network around Cheltenham once completion and opening to traffic of the A417 Brockworth bypass had been achieved. The change envisaged is to de-trunk the A40 through Cheltenham and to trunk the A436 from the A417, air balloon roundabout, to the A40, Shipton Solers.

Following the recent opening of the A417 Brockworth bypass, the Highways Agency is now taking this proposal forward. However, those affected by the change must be given the opportunity to comment and Gloucestershire county council, which will take over responsibility for the A40, requires certain works to be done before it will accept this responsibility.

To begin the statutory process, we expect to publish draft orders later this year. Depending on the nature and weight of any objections received, a public inquiry may be necessary.

Mr. Jones: To ask the Secretary of State for Transport how many accident black spots have been identified by his Department on the A40 between Oxford and Gloucester; if he will list them; and if he will make a statement. [24909]

Mr. Watts: At each of the following locations on the length of A40 highlighted, a total of more than 12 personal injury accidents have been recorded in the last three years, as follows.

	1993	*1994*	*1995*
A40/A417 Elmbridge Court roundabout, Gloucester	7	5	6
A40/B4063 Arle Court roundabout, Cheltenham	4	3	6

A study set up to examine safety standards at the Elmbridge Court roundabout has recently been concluded. Measures such as revised road markings adjustments to kerblines and renewal of the high friction grip surfacing are proposed. Funding opportunities for all initiatives of this kind under the network enhancement programme are under severe restraint at the present time and it is unlikely that any work will be carried out in relation to these proposals in 1996–97.

In the longer term, the Arle Court roundabout will be de-trunked and, as a result, and following the trunking of the A436, traffic flows at this roundabout are expected to reduce. Temporary traffic signals are currently in operation at the roundabout, the effect of which is being carefully monitored. The lights are needed to prevent queues backing up to the M5 Golden Valley viaduct where, due to the recent discovery of structural weaknesses, a temporary 3 tonn weight limit is currently in force.

Mr. Jones: To ask the Secretary of State for Transport what has been the increase in the number of heavy vehicles entering Cheltenham on the A40 *(a)* westbound and *(b)* eastbound since 1986; and if he will make a statement. [24904]

Mr. Watts: The recorded change in the number of heavy vehicles entering Cheltenham on the A40 *(a)* westbound and *(b)* eastbound since 1986 is as follows:

	1986	*1995*	*Percentage variance*
(a)	702	518	(–26 per cent.)
(b)	1,520	1,317	(–13 per cent.)

Flows: annual average daily traffic—AADT—24 hour count heavy goods vehicles over 3.5 tonnes.

Mr. Jones: To ask the Secretary of State for Transport what has been the increase in the volume of traffic entering Cheltenham on the A40 *(a)* westbound and *(b)* eastbound since 1986; and if he will make a statement. [24903]

Mr. Watts: The increases in the volume of traffic entering Cheltenham on the A40 *(a)* westbound and *(b)* eastbound since 1986 is recorded as follows:

	1986	*1995*	*Percentage variance*
(a)	5,539	6,329	(+14)
(b)	13,993	17,711	(+27)

Flows: annual average daily traffic—AADT—24 hour count

Between 1986 and 1995, the national average growth in motor vehicle traffic was 31.8 per cent. To a measurable degree, the lower than average rate of traffic flow increase on the M40 entering Cheltenham in either direction can be ascribed to the opening in 1991 of the extended M40 between London, M25, and Birmingham, M5.

Railway Disputes Resolution Committees

Mr. Wilson: To ask the Secretary of State for Transport what progress has been made in appointing chairmen for the rail access disputes resolution committee and the railway industry disputes resolution committee; how many applications were received for each post; and what salaries and costs are involved. [25452]

Mr. Watts: These committees have been established by the railway industry and the Department is not responsible for them or appointments to them. However, I understand that 45 applications were received for the post of part-time chairman of the access disputes resolution committee. A chairman was appointed on 1 April 1996. A total of 89 applications have been received for the post of part-time chairman of the railway industry disputes resolution committee. A chairman is expected to be appointed towards the end of April. Salaries of the chairmen and costs of the committees are matters for the committees.

Air Safety

Mr. Allen: To ask the Secretary of State for Transport what regulations are currently in place to control the use of air space by amateur flying clubs above residential areas; and if he will make a statement. [25477]

Mr. Norris: The regulations governing the use of air space above residential areas can be found in the Air Navigation Order (No.2) 1995 and the Rules of the Air 1991.

Crash Barriers and Cushions

Mr. Nicholls: To ask the Secretary of State for Transport what estimates he has made of the cost of each of the accidents in the last two years where errant vehicles have left, via the near-side verge, roads, motorways and dual carriageways on which there is *(a)* a traffic flow of greater than 10,000 vehicles per day and *(b)* an accident incidence rate of more than 1.5 times the average for that class of road. [25147]

Mr. Norris: The valuation attributed to the total number of road accidents, using the standard safety valuation method, in 1993 and 1994 in which a vehicle left the carriageway on the near-side is (i) motorways £227 million; (ii) dual carriageways £419 million; (iii) other roads £241 million.

It is not possible to provide these figures for roads with a traffic flow of greater than 10,000 vehicles per day, or for roads with a higher than average accident rate.

Mr. Nicholls: To ask the Secretary of State for Transport if he will commission the Transport Research Laboratory to carry out a full-scale assessment of the effectiveness of crash cushions. [25151]

Mr. Watts: No. A study into the situations where there may be a need to deploy crash cushions on the highway network has already been carried out. Generally, their widespread use is not cost effective because of the unpredictability and infrequent occurrence of the type of accidents they prevent.

The Highways Agency has developed an effective prototype crash cushion, and other proprietary systems exist. They can be installed at particular sites on trunk roads if, in the light of the specific circumstances, they provide an appropriate solution.

Foreign Aircraft (Safety)

Mr. Chidgey: To ask the Secretary of State for Transport what additional resources he has committed for increased safety checks of foreign aircraft. [25524]

Mr. Norris: The Department of Transport may ask the Civil Aviation Authority to conduct a physical check of a foreign aircraft if there is any doubt about its safe operation. If this check reveals serious problems, the Department may ask the authority to carry out an audit of the foreign aviation authority with responsibility for the safety oversight of the aircraft. The Department has increased the funding available for these activities by 20 per cent. to £120,000 in 1996–97.

In addition, the Department has pledged up to £150,000 to support the new safety oversight programme set up by the International Civil Aviation Organisation—ICAO. This support will involve funding the provision of Civil Aviation Authority experts as members of ICAO assessment teams, which will be helping foreign aviation authorities improve their safety oversight procedures.

Both these programmes will be kept under review.

Railtrack

Ms Short: To ask the Secretary of State for Transport, pursuant to his answer of 5 March, *Official Report*, column *26*, if he will make a statement on the arrangements made to write off Railtrack debt prior to flotation. [25528]

Mr. Watts: Railtrack's debt to the national loans fund—£1,299,418,952.48—was extinguished by means of the Railways Act 1993 (Extinguishment of Relevant Loans) (Railtrack plc) Order 1996, which came into effect on 29 March 1996. Railtrack's remaining debt to passenger transport executives—£230.5 million—was transferred to the British Railways Board on the same date. Finally, on the same date, Railtrack issued two debentures to Her Majesty's Treasury totalling £585 million, also on the same date.

New Driving Licence

Mr. Donald Anderson: To ask the Secretary of State for Transport when he proposes to introduce the new style driving licence incorporating a photograph of the licence holder; and what assessment he has made of its impact on the work of the Driver and Vehicle Licence Agency at Swansea. [25591]

Mr. Norris: Our preparations for the introduction of the new plastic photocard driving licences are well advanced and the way is now clear for their introduction in the early part of 1997.

A full assessment of the impact of the new procedures on the Driver and Vehicle Licensing Agency is being carried out in conjunction with EDS and Polaroid, who will be responsible for producing the plastic cards. This cannot be finalised until the European Union directive on plastic card driving licences as been formally adopted.

European Football Championships

Mr. Wilson: To ask the Secretary of State for Transport what plans he has taken to ensure adequate transport provision for the increased number of visitors during the European football championships. [25500]

Mr. Norris: How best to cater for increased passenger demand is a matter for the commercial judgment of transport service operators. I am confident that they will not miss the opportunity this important event will offer. I understand that plans are being made to provide the necessary public transport information and additional capacity.

Arrangements are in hand for providing comprehensive temporary directional signing on both the trunk and local road network. It is for local authorities to consider whether special temporary traffic management and parking arrangements are needed in the vicinity of the football stadiums involved.

Mr. William Sneddon

Mr. Dalyell: To ask the Secretary of State for Transport for what reasons Mr. William Sneddon, of 50 Polkemnet drive, Greenrigg, Harthill has been denied by his Department's policy division, zone 209, Great Minster house, 76 Marsham street, London SW1P 4DR, renewal

of licence number SNEDD/407/019/WGGFF, valid from 4 December 1974 until 3 December 1977; and for what reasons no conclusion has been reached since March 1995 on his application. [25537]

Mr. Norris: Mr. Sneddon held a short period licence issued by a local licensing authority before the introduction in 1976 of car licences valid until 70 years of age. Because the then Driver and Vehicle Licensing Centre did not have records of such licences, holders were required to return their licences on expiry to the DVLC for their details to be registered and to be issued with a full "till 70" licence. The legislation provided for licence holders to be given until the end of 1985 to convert their licences, after which the entitlement would lapse and any former licence holder would need to pass a driving test to regain the entitlement. There is no scope for waiving the requirements in individual cases. As Mr. Sneddon is one of those whose short period licence was not converted within the prescribed time, it is not possible to issue him with a new licence solely on the strength of the old one.

We are, however, considering a change in the law—under the powers conferred by the Deregulation and Contracting Out Act 1994—to enable those who can prove that they held a licence prior to 1976 to be issued with a new licence without the need to pass a further driving test.

Sea Empress

Mr. Dafis: To ask the Secretary of State for Transport if he will list the organisations and local authorities who have made representations *(a)* in favour of and *(b)* against a public inquiry into the Sea Empress disaster; and if he will make a statement. [25185]

Mr. Norris *[holding answer 16 April 1996]:* Some 74 organisations have made representations in favour of a public inquiry. As far as I am aware, none have made representations against. Nonetheless, we believe that the investigation by the marine accident investigation branch into the grounding of the Sea Empress and the subsequent salvage operations is the most effective and rapid means of determining the facts and any lessons which need to be learnt.

HOME DEPARTMENT

Life Sentences

Mr. Garnier: To ask the Secretary of State for the Home Department how many prisoners serving life sentences were released on licence in each of the years 1990 to 1995; and what proportion of those prisoners in each year were released beyond the expiry of the tariff recommended by the sentencing court. [24621]

Miss Widdecombe: The number of life sentence prisoners released on licence for the first time in each of the years 1990 to 1995 is set out in the following table.

Year	*Number*
1990	74
1991	71
1992	90
1993	126
1994	107
1995	90

Information about the proportion of those released after the expiry of tariff recommended by the sentencing court is not recorded centrally and could be obtained only at disproportionate cost.

Random Mandatory Drugs Tests (Prisons)

Mr. Hoyle: To ask the Secretary of State for the Home Department how many refusals in the pilot programme of random mandatory drugs testing in prison for the male pilot prisons were recorded *(a)* in February to May 1995 and *(b)* in June to December 1995; and how many of the class A positives in *(a)* and *(b)* also tested positive for cannabis. [25385]

Miss Widdecombe: Responsibility for this matter has been delegated to the director general of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Doug Hoyle, dated 18 April 1996:

The Home Secretary has asked me to reply to your recent Question concerning the number of refusals of random drug tests and the number of prisoners testing positive for both cannabis and class A drugs.

Establishments' returns do not differentiate between refusals of random and other forms of mandatory drug test. Laboratory returns only record the number the multiple positive tests and not the combinations of drugs misused. The information requested in both parts of this Question could be obtained only at disproportionate cost.

Mental Illness (Prisoners)

Mr. George Howarth: To ask the Secretary of State for the Home Department how many *(a)* remand and *(b)* convicted but not sentenced (i) men and (ii) women were received into the prison system during 1994 and 1995 with identified mental health problems, broken down by age. [25199]

Miss Widdecombe: Responsibility for this matter has been delegated to the director general of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. George Howarth, dated 18 April 1996:

The Home Secretary has asked me to reply to your recent Question about the number and ages of unsentenced men and women received into the prison system during 1994 and 1995 with identified mental health problems.

This information is not available in the form requested. However, researchers from the Institute of Psychiatry recently undertook for the Prison Service a study aimed principally at measuring the prevalence of mental disorder amongst the remand population in England and Wales. They considered that 66 per cent of the adult males, 53 per cent of the young men and 77 per cent of the women in a large and broadly representative sample could be diagnosed as suffering from some form of mental disorder, a term which includes in this context harmful or dependent substance misuse.

Medical Research (Fraud)

Mrs. Dunwoody: To ask the Secretary of State for the Home Department what has been the cost to public funds of investigating cases of fraud involving medical research studies in the United Kingdom for each of the last 10 years. [24992]

Mr. Maclean: This information is not available centrally.

Police Searches

Mr. Madden: To ask the Secretary of State for the Home Department if he will issue guidance to the police relating to the Prevention of Terrorism (Additional Powers) Bill to ensure *(a)* that women pedestrians are where possible stopped and searched by woman police officers in uniform,. *(b)* places of religious worship are not classed as non-residential accommodation which may be searched and *(c)* religious Sikhs are not required to remove their turbans; and if he will make a statement. [25370]

Mr. Howard *[holding answer 16 April 1996]:* Guidance on the new police powers contained in the Prevention of Terrorism (Additional Powers) Act 1996 was issued to police forces immediately upon the Act's coming into force. Further guidance is being prepared in consultation with the police and will be issued in due course but, as I made clear during the debates on 2 April, it would not be realistic to require women pedestrians to be searched only by women police officers. While sensitivities of sex and religious practice will be taken into account in the exercise of the powers contained in the Act, they do not provide justification for exemption from any of its provisions. The relevant Police and Criminal Evidence Act 1984 codes of practice will be formally applied as appropriate to the new powers.

Computers

Mr. David Atkinson: To ask the Secretary of State for the Home Department if he will make a statement on the problem of non-recognition by computers of the year 2000 with regard to his Department's computers and those for which it is responsible. [24406]

Mr. Howard *[holding answer 3 April 1996]:* My Department is aware of the problem. An audit of Home Office computer systems is currently being carried out by the Department's information technology service provider—Sema Group—to establish what systems will be affected and what needs to be done to correct any problems revealed by the audit. Concurrently, third party software suppliers are being approached to establish how their products cater for the century change.

Cannabis Offences

Mr. Flynn: To ask the Secretary of State for the Home Department what estimate he has made of the total number of people who have been fined the maximum amount of £2,500 for cannibis offences since that penalty was introduced. [25390]

Mr. Maclean: Information on court proceedings for 1993 and 1994, the latest available, is given in the table. For years prior to 1993, the exact drug, including class type, cannot be identified separately.

Number and percentage of persons given the maximum fine at Magistrates's courts[1] for cannabis offences under the Misuse of Drugs Act 1971 by type of offence

England and Wales

Offence description/year		*Total fined (=100 per cent.)*	*Maximum fine given*	
			Number	*Percentage*
Production of being concerned in the production of the controlled drug cannabis: Section 4(2) [Maximum fine L5 = £5,000]	1993	705	—	—
	1994	994	—	—
Supplying or offering to supply the controlled drug cannabis: Section 4(3) [Maximum fine L5 = £5,000]	1993	148	—	—
	1994	136	—	—
Having possession of the controlled drug cannabis: Section 5(2) [Maximum fine L2 = £5,000]	1993	5,879	5	0
	1994	8,691	8	0
Having possession of the controlled drug cannabis with intent to supply: Section 5(3) [Maximum fine L2 = £500]	1993	19611		
	1994	201	7	3
Permitting premises to be used for unlawful purposes re cannabis: Section 8 [Maximum fine L5 = £5,000]	1993	53	—	—
	1994	60	—	—

[1] The magistrates' court may fine an offender for any offence which it can deal with, but the amount of the fine is limited according to the offence. There is no limit on the amount of the fine which the Crown Court may impose.

Immigration Appeal Tribunal

Mr. Dalyell: To ask the Secretary of State for the Home Department on how many occasions Home Office Ministers have overturned considered verdicts of the Immigration Appeal Tribunal; and if he will put in the Library the conveniently available details of such occasions. [25498]

Mr. Kirkhope: Home Office Ministers have no powers to overturn determinations of the Immigration Appeal Tribunal. Determinations may, however, be challenged on appeal to the Court of Appeal or the Court of Session in Scotland.

TRADE AND INDUSTRY

Post Office Employees (Dog Attacks)

Mr. Llwyd: To ask the President of the Board of Trade how many Post Office employees received injuries caused by dog attacks while delivering letters and parcels in 1995; and how many work days were lost as a result. [24599]

Mr. Oppenheim: I understand from the Post Office, that during the 12 months to 31 December 1995, there were 5,891 animal attacks on Royal Mail letter delivery staff, with 4,817 working days lost, and that there were 143 animal attacks on Parcelforce delivery staff, with 63 working days lost. Around 99 per cent. of all animal attacks are by dogs.

Stamp Prices

Mr. Khabra: To ask the President of the Board of Trade what factors underlay the decision by the Government to direct the Post Office to raise the price of stamps. [25326]

Mr. Oppenheim: The Government have issued no such direction to the Post Office.

Overseas Trade Board

Mr. Bayley: To ask the President of the Board of Trade, pursuant to his answer of 26 March, *Official Report,* column *475,* what reasons were given for the resignation of each of the two members of the Overseas Trade Board who resigned in March 1995, the four members who resigned in May 1995 and the member who resigned in September 1995. [25255]

Mr. Nelson: Sir Alan Cockshaw, Professor Fleming, Mr. Gillibrand, Mr. Dewe Matthews and Mr. Reeves had each served more than the usual three-year term. Sir Michael Bett and Sir Desmond Pitcher resigned because of extensive commitments elsewhere.

Insolvency Service

Mr. Austin Mitchell: To ask the President of the Board of Trade what was the cost of the project to examine whether to contract out the work of the Insolvency Service. [25540]

Mr. Oppenheim: I refer the hon. Member to the answer I gave to the hon. Member for Sheffield, Hillsborough (Mrs. Jackson) on 5 March 1996, *Official Report,* column *132.*

Wolfendale Report

Mr. Dalyell: To ask the President of the Board of Trade, pursuant ot his letter of 4 March what action he has taken to implement the Wolfendale report; and if he will make a statement on the authorship of the best practice guide. [25495]

Mr. Ian Taylor: The two recommendations of the Wolfendale report addressed to the Office of Science and Technology are being implemented. The contract for the "Best Practice Guide" has been awarded to Mr. Michael Kenward, and the survey into existing levels of public understanding of science and technology is being undertaken by Professor John Durant of Imperial college, London. The latter project is being co-sponsored by the Nuffield Foundation.

My Department has drawn the report's other recommendation to the attention of the relevant organisations.

Hubble Space Telescope

Mr. Dalyell: To ask the President of the Board of Trade, pursuant to the Parliamentary Under-Secretary of State's letter of 2 April to the hon. Member for Linlithgow, if he will make a statement on the European Space Agency—NASA—agreement negotiations in relation to the Hubble space telescope. [25496]

Mr. Ian Taylor: The European Space Agency, ESA, and the National Aeronautics and Space Administration, have yet to begin formal discussions on Europe's contribution to the refurbishment of the Hubble space telescope, planned for 1999. These are, however, due to take place in the next few months.

Patent Office

Mr. Alex Carlile: To ask the President of the Board of Trade how many contractors are employed in the Patent Office information technology services department; at what cost; and if he will make a statement. [24267]

Mr. Ian Taylor *[holding answer 2 April 1996]:* There are 36 specialist contract staff in information technology services employed to supplement existing permanent civil servants and to make good deficiencies in the Patent Office's IT skills base. Their individual costs reflect the market rate for particular specialisms but, in 1995–96, the average cost was £61,000. They are supplied on short-term renewable contracts by a range of organisations selected through competitive tender.

Mr. Jim Cunningham: To ask the President of the Board of Trade what was the manufacturing balance of trade for each Organisation for Economic Co-operation and Development country for each year since 1979. [24779]

Mr. Oppenheim *[holding answer 16 April 1996]:* The answer is in the table.

OECD countries balance of trade in manufactured goods[1] 1979 to 1994

US$ billions

	1979	*1980*	*1981*	*1982*	*1983*	*1984*	*1985*	*1986*
Australia	–9.1	–10.5	–13.7	–14.5	–11.1	–14.0	–15.1	–16.5
Austria	–1.6	–2.5	–0.7	–0.1	–0.7	–0.3	0.0	–1.1
Belgium-Luxembourg	3.5	3.9	4.4	3.8	4.8	4.1	5.1	4.7
Canada	–10.4	–8.1	–10.5	–3.1	–5.7	–7.2	–8.7	–10.3
Denmark	–3.7	–2.2	–1.1	–1.6	–1.1	–1.7	–2.4	–4.5
Finland	1.6	1.2	2.3	2.5	1.9	2.6	2.5	2.5
France	11.5	7.3	8.8	3.4	6.3	8.9	7.3	1.3

OECD countries balance of trade in manufactured goods[1] 1979 to 1994

US$ billions

	1979	*1980*	*1981*	*1982*	*1983*	*1984*	*1985*	*1986*
Germany	59.1	63.2	61.7	67.5	58.7	59.5	67.5	89.4
Greece	–4.2	–3.8	–2.9	–3.0	–2.8	–2.7	–2.9	–3.6
Iceland	–0.4	–0.5	–0.5	–0.5	–0.3	–0.3	–0.4	–0.6
Ireland	–3.2	–2.9	–2.5	–1.6	–0.9	–0.7	–0.3	–0.2
Italy	24.2	18.2	23.8	24.2	27.3	23.9	24.7	28.7
Japan	72.6	95.1	116.4	104.6	110.9	128.5	134.7	160.2
Mexico[2]	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Netherlands	–4.7	–3.9	–0.5	–0.1	–0.1	–0.5	–2.1	–4.7
New Zealand	–2.2	–2.4	–2.7	–2.9	–2.4	–3.1	–3.0	–3.3
Norway	–2.8	–3.8	–4.1	–4.8	–3.6	–3.7	–4.7	–8.4
Portugal	–1.0	–1.7	–2.3	–2.0	–0.9	0.3	0.5	–0.3
Spain	2.6	2.4	2.9	2.4	2.9	5.0	4.5	–1.1
Sweden	3.9	4.6	5.2	3.9	4.6	5.2	4.9	6.5
Switzerland	2.6	0.0	2.3	2.6	1.7	1.5	2.0	1.6
Turkey	–2.3	–2.5	–2.5	–1.8	–2.0	–1.8	–1.3	–3.0
UK	3.6	8.9	3.6	0.3	–7.7	–8.4	–7.2	–12.1
USA	–2.1	12.2	5.2	–10.7	–38.2	–88.6	–112.8	–144.9

US$ billions

	1987	*1988*	*1989*	*1990*	*1991*	*1992*	*1993*	*1994*
Australia	–16.6	–20.5	–26.0	–23.6	–22.5	–23.5	–24.5	–24.3
Austria	–2.3	–2.5	–3.3	–4.1	–5.4	–5.7	–5.1	–6.7
Belgium-Luxembourg	4.5	9.7	10.5	10.1	8.1	8.4	16.0	18.4
Canada	–12.5	–21.7	–22.2	–18.4	–20.7	–20.0	–19.0	–10.5
Denmark	–3.8	–2.8	–2.8	–2.3	–2.4	–0.4	0.0	–0.4
Finland	1.7	1.7	0.2	1.8	3.3	4.8	6.8	7.6
France	–4.5	–9.0	–10.6	–13.0	–6.4	0.2	9.7	n/a
Germany	104.9	112.6	112.6	107.5	66.4	77.1	83.7	94.5
Greece	–4.3	–5.3	–7.5	–9.8	–11.0	–11.6	–11.7	–10.6
Iceland	–1.0	–0.9	–0.7	–1.0	–1.1	–1.1	–0.8	–0.8
Ireland	0.1	0.4	0.4	0.4	0.9	2.0	3.5	4.5
Italy	27.8	24.8	26.9	31.8	30.3	29.9	57.1	n/a
Japan	163.4	173.0	168.3	167.6	191.4	218.6	230.2	237.0
Mexico[2]	n/a	n/a	n/a	n/a	n/a	n/a	–16.7	–13.4
Netherlands	–6.1	–3.9	–5.3	–6.8	–7.4	–9.2	0.5	–0.5
New Zealand	–4.1	–3.7	–4.8	–5.2	–4.2	–4.9	–4.8	–5.5
Norway	–8.5	–7.9	–6.9	–8.1	–7.3	–7.8	–7.9	–9.2
Portugal	–2.3	–4.5	–3.7	–5.4	–6.2	–7.9	–5.0	–5.0
Spain	–7.1	–12.4	–17.4	–20.2	–21.8	–22.5	–9.1	–8.2
Sweden	5.2	5.5	3.9	4.6	7.5	8.7	10.0	11.8
Switzerland	0.2	–0.2	–1.0	1.5	1.8	6.3	8.1	0.0
Turkey	6.8	–1.6	–1.8	–5.2	–5.3	–5.3	–10.2	–2.8
UK	–16.3	–30.4	–30.4	–23.4	–10.7	–18.0	–27.4	–14.0
USA	–152.0	–147.0	–132.9	–102.9	–79.9	–99.7	–133.8	n/a

Note:
[1] Manufactured goods are defined as sections 5 to 8 of the standard international trade classification.
[2] Comparable data for Mexico for 1979 to 1992 are not available.
Source:
OECD Series C.
OECD Impex 1995.
International Trade—World Trade Organisation.

Mr. Cunningham: To ask the President of the Board of Trade what was the United Kingdom manufactured balance of trade for each year since 1979; and what was, in each year, the percentage change from the previous year. [24778]

Mr. Oppenheim *[holding answer 16 April 1996]:* The balance of trade for manufactured goods is published by the Central Statistical Office in the monthly review of external trade statistics, which is available in the Library of the House. It is also available on the central shared database, which can be accessed from the Library of the House.

Mr. Cunningham: To ask the President of the Board of Trade what was the level of manufacturing capital investment in *(a)* the west midlands and *(b)* the United Kingdom for each year since 1979; and if he will express the figures in (i) real terms and (ii) percentage change on the previous year. [24780]

Mr. Oppenheim *[holding answer 16 April 1996]:* Figures for capital investment in manufacturing industry in the west midlands are not available in real terms. Figures for the United Kingdom are shown in the table.

Investment in Manufacturing Industry in the United Kingdom 1979 to 1995

	£ million (constant 1990 prices)	Growth from the previous year (per cent.)
1979	13,558	5.6
1980	12,307	–9.2
1981	9,985	–18.9
1982	9,518	–4.7
1983	9,413	–1.1
1984	10,975	16.6
1985	12,710	15.8
1986	12,097	–4.8
1987	12,641	4.5
1988	13,846	9.5
1989	14,984	8.2
1990	14,227	–5.1
1991	12,803	–10.0
1992	11,828	–7.6
1993	11,104	–6.1
1994	11,831	6.5
1995	12,736	7.6

Mr. Cunningham: To ask the President of the Board of Trade what was the manufacturing output in *(a)* the west midlands and *(b)* the United Kingdom for each year since 1979 in real terms; and what was the percentage change in each year against the previous year. [24782]

Mr. Oppenheim *[holding answer 16 April 1996]:* Figures for manufacturing output in the west midlands are not available in real terms. Figures for the Untied Kingdom are shown in the table.

	1990 = 100	Growth from the previous year (per cent.)
1979	90.6	–0.2
1980	82.8	–8.6
1981	77.7	–6.2
1982	77.6	–0.1
1983	79.2	2.1
1984	82.2	3.8
1985	84.5	2.8
1986	85.6	1.3
1987	89.6	4.7
1988	95.9	7.0
1989	100.2	4.5
1990	100	–0.2
1991	94.6	–5.4
1992	94.0	–0.6
1993	95.1	1.2
1994	99.2	4.3
1995	101.1	1.9

PRIME MINISTER

Brixham

10. **Mr. Steen:** To ask the Prime Minister if he will pay an official visit to Brixham. [24330]

The Deputy Prime Minister: I have been asked to reply.

My right hon. Friend hopes to have an opportunity to do so in the near future.

Intelligence and Security (Committee Report)

Mr. Dalyell: To ask the Prime Minister, pursuant to his answer of 2 April, *Official Report*, column *107*, for what reasons some necessary evidence is not available in relation to the Ames case. [25515]

The Deputy Prime Minister: I have been asked to reply.

As the hon. Member will realise, in a case as complex and far reaching as that of Ames, evidence of the full extent of his activities only becomes available over time. My right hon. Friend looks forward to receiving the further conclusions of the Intelligence and Security Committee on this issue.

FOREIGN AND COMMONWEALTH AFFAIRS

Hosting for Overseas Students

Mr. Redmond: To ask the Secretary of State for Foreign and Commonwealth Affairs how many students in each year since 1987 have taken advantage of his Department's Hosting for Overseas Students organisation; what has been the cost; and if he will make a statement. [25464]

Mr. Hanley: The number and cost of placements arranged by Hosting for Overseas Students—HOST—a charity supported by the Foreign and Commonwealth Office and the British Council, is as follows:

	Number of student visits to families	Total costs £
1987–88	n/a	76,821
1988–89	1,708	176,133
1989–90	2,145	101,888
1990–91	3,577	135,552
1991–92	4,012	123,678
1992–93	4,031	189,327
1993–94	5,253	197,436
1994–95	5,705	199,587
1995–96	[1]—	212,863

[1] Number not yet known.

HOST performs a very valuable service in providing overseas students with experience of life in British families and we hope it will continue to expand, in particular by attracting new host families.

Turks and Caicos Islands

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs what conclusions he has reached on the petition from the elected parties of the Turks and Caicos Islands concerning Governor Bourke; and if he will make a statement. [25389]

Sir Nicholas Bonsor: I refer the hon. Member to the reply given in the House on 3 April by my right hon. and learned Friend the Foreign Secretary, *Official Report*, columns 384–85.

Baltic States

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has received from the Baltic states; and if he will make a statement. [25391]

Sir Nicholas Bonsor: We have frequent contacts with the Baltic states and exchange views on a wide variety of issues. Our bilateral relations are close and friendly, based on our strong support for Baltic independence, democratic and economic reform, and integration into European structures.

HEALTH

Nurses

Ms Harman: To ask the Secretary of State for Health how many diabetic nurses and paediatric nurses there are *(a)* by region and *(b)* nationally. [25527]

Mr. Horam: The number of nurses holding specialist qualifications in diabetic care is not available centrally.

The information relating to nurses working in the paediatric area of work is shown in the table.

NHS hospital and community health services—HCHS—nurses working in the paediatric area of work, excluding agency and learners, by region in England at 30 September 1994

whole-time equivalents

	Nurses working in the paediatric area of work
England	11,950
Northern and Yorkshire	1,690
Trent	1,390
Anglia and Oxford	920
North Thames	1,080
South Thames	1,140
South and West	1,240
West Midlands	1,460
North West	2,320
Special health authorities and others	700
Not included in the above	
Learners[1]	350

Notes:
[1] Learners are nurses on traditional training courses in the paediatric area of work. Project 2000 training was introduced in 1989 and has gradually replaced traditional pre-registration nurse training. There were 2,360 Project 2000 students at May 1994 on childrens nursing courses; these figures are headcounts and cannot be added to other figures in the table which are whole-time equivalents at September 1994.
Figures are rounded to the nearest 10.
Total does not equal the sum of the components due to rounding.
Source:
Department of Health non-medical work force census.

Drug and Alcohol Addiction

Mr. Flynn: To ask the Secretary of State for Health what estimate he has made of the number of people per thousand of the population who are addicted to *(a)* heroin and *(b)* alcohol; and what are the equivalent figures for (i) France, (ii) Italy, (iii) Spain and (iv) Holland. [25388]

Mr. Bowis: The estimated rate of people addicted to heroin per thousand population for 1994 was 0.41[1], based on a United Kingdom population aged 16 to 64. The overall rate of alcohol dependency per 1,000 population was 47[2], based on a survey of psychiatric morbidity of 16 to 64-year-olds in Great Britain. The two figures are estimated on different bases and are not comparable.

Equivalent figures are not available for France, Italy, Spain and Holland. The European monitoring centre for drugs and drug addiction is currently working to produce comparable information on drugs misuse in member states of the European Union.

Sources

[1] *Home Office addicts index statistical bulletin "Statistics of Drug Addicts Notified to the Home Office, United Kingdom 1994" (Issue 17/95)*

Office of Population Censuses and Surveys—OPCS—population figures for 1994 (resident estimates). Assumption that all heroin addicts notified to the Home Office are aged between 16 and 64 years.

[2] *OPCS surveys of psychiatric morbidity in Great Britain bulletin no. 1 "The prevalence of psychiatric morbidity among adults aged 16–64, living in private households, in Great Britain" 1994.*

Community Care (Direct Payments) Bill

Mr. Tom Clarke: To ask the Secretary of State for Health what steps he has taken to make the responses to his Department's consultation paper on the Community Care (Direct Payments) Bill available to members of the technical advisory group which advised the Government on technical issues about implementation of direct payments. [25533]

Mr. Bowis: Copies have been sent to members who requested them.

Mr. Clarke: To ask the Secretary of State for Health if he will publish a summary of responses to his Department's consultation paper on the Community Care (Direct Payments) Bill; and what other steps he will take to fulfil the undertaking given in that document in respect of copies of responses being made available to the public. [25534]

Mr. Bowis: No, I have published them in full. Copies of the responses are in the Library and are available to members of the public on request.

Mr. Clarke: To ask the Secretary of State for Health how many responses he has received to his Department's consultation paper on the Community Care (Direct Payments) Bill from *(a)* disabled people, *(b)* organisations representing disabled people, *(c)* local authorities, *(d)* other groups or individuals providing care and *(e)* other organisations and individuals. [25535]

Mr. Bowis: A total of 284 responses were received in England, 49 were received in Scotland, 49 were received in Wales and 36 were received in Northern Ireland.

Of the English responses, 79 were from local authorities. The consultation paper did not ask people to provide any information about themselves in their responses, so information on the remaining responses is not available in the form requested. Thirty-four responses were from individuals, some of whom indicated that they were disabled; others said that they were providing informal care, but others did not give the reason for their interest. Similarly, many of the responses from organisations were representing disabled people and others were representing providers of care, but in many cases it is not clear whether the organisations would consider themselves to be in either category.

DEFENCE

Cyprus (Discipline)

Mr. Cox: To ask the Secretary of State for Defence what discussions he has had with the Commander-in-Chief of the British military forces based in Cyprus on incidents involving British military personnel and Greek Cypriot personnel. [22884]

Mr. Soames: Matters of discipline are taken very seriously by Ministers and by the services. Regular meetings take place to monitor standards of discipline and ensure that they are enforced. All service personnel serve under strictly enforced disciplinary regulations. British forces serving in Cyprus are subject to the same very high disciplinary standards.

Mr. Hanson: To ask the Secretary of State for Defence (1) what assessment he has made of whether the Army's disciplinary procedures were followed in relation to the rifleman from the 1 Battalion, the Royal Green Jackets, who assaulted Mr. Kevin Remmer, in Ayia Napa in August 1994; [24077]

(2) what action was taken by the commanding officer of 1 Battalion, the Royal Green Jackets, against a rifleman of that battalion who allegedly assaulted Mr. Kevin Remmer in August 1994 in Ayia Napa, Cyprus. [24073]

Mr. Soames: Where it is alleged that service men have committed offences under Cypriot law within the Republic of Cyprus, jurisdiction lies entirely with the Cypriot authorities under the terms of the treaty concerning the establishment of the Republic of Cyprus, Cm 1252 or 1960.

At the time of the assault on Miss Jensen the rifleman had not been found guilty of any charges resulting from the earlier incident and was bailed by the Cypriot authorities to appear in court at a later date. As the civil authorities found no reason to hold the accused soldier in custody before the matter came to court, there appeared to be no justification for the commanding officer to restrict the soldier's movements. It is a matter of deep regret that the soldier was later involved in the assault on Miss Jensen. However, neither the Cypriot courts nor the commanding officer could have expected such a development.

Defence Export Services Organisation

Mrs. Clwyd: To ask the Secretary of State for Defence what forms of Government support are provided to British arms exports; and what is the level of bonuses to be paid for the financial year 1995–96 to the *(a)* head of Defence Export Services Organisation, *(b)* offset adviser and *(c)* international financial adviser. [24080]

Mr. Arbuthnot: Within the Ministry of Defence, support for Defence exports is provided, primarily, by the Defence Export Services Organisation, which exists to help British manufacturers market and sell their products abroad, complementing the wide range of services offered by the Department of Trade and Industry. In addition to DESO/DTI support, the Export Credits Guarantee Department makes available its range of export credit facilities to support defence sales. The head of defence export services may be awarded a "bonus" of up to 15 per cent. of his annual salary depending on performance. The offset adviser and international financial adviser, who are civil servants, were eligible for the performance-related pay awards which applied to their grades. These were up to 4 per cent. from 1 April 1995, with a further award of up to 4 per cent. from 30 November 1995 for the offset adviser and up to 3 per cent. from 1 August 1995 for the international financial adviser; no specific bonuses attach to these posts.

LSD

Dr. David Clark: To ask the Secretary of State for Defence on what occasions since 1966 his Department has investigated LSD at the chemical and biological defence establishment, Porton Down; what were the total number of service volunteers used for these experiments; and if he will make a statement. [24622]

Mr. Arbuthnot: This is a matter for the chief executive of the Defence Evaluation and Research Agency. I have asked the chief executive to write to the hon. Member.

Letter from John Chisholm to Dr. David Clark, dated 16 April 1996:

The Secretary of State for Defence has asked me as the Chief Executive of the Defence Evaluation and Research Agency to reply to your question about investigation of LSD since 1966 at the then Chemical Defence Experimental Establishment, Porton Down.

We have undertaken a comprehensive search of the summary books recording the involvement of all volunteers in experimental work at Porton Down since 1966. In that year 16 of the service volunteers who participated in the field trial Recount were given LSD and an additional 4 service volunteers took part in laboratory based studies. In 1967 further laboratory based studies were carried out involving 28 service volunteers. In January 1968 13 of the service volunteers who participated in field trial Small Change were given LSD. We have no indication of any administration of LSD to volunteers after the completion of Small Change in 1968.

When he replied to your Parliamentary Question about the number of volunteers involved in studies with LSD on 21 November 1994, Dr. Graham Pearson, then the Chief Executive of the Chemical and Biological Defence Establishment, stated that 72 volunteers had participated in the whole programme of work on LSD which continued until 1972. More information has recently been uncovered which has caused us to reassess this. From the records now available we now believe the total number of all exposures to LSD in the programme was 136. A small number of these were second exposures of the same individual. We also now believe that work on LSD ceased in 1968 when the results of trial Small Change confirmed that it was not a serious threat. I am sorry if the earlier information provided to you as inaccurate. I think this occurred because the information available to Dr. Pearson was incomplete and we obviously regret that should have occurred.

I hope this letter clarifies matters.

Low Flying

Mr. Llwyd: To ask the Secretary of State for Defence if he will list the *(a)* dates, *(b)* locations, *(c)* numbers, types and nationalities of aircraft involved, *(d)* nature of breach, *(e)* disciplinary actions taken against aircrew and *(f)* lessons learned from each of the confirmed breaches of low flying regulations during 1995; and if he will make a statement. [24583]

Mr. Soames: Details of breaches of military low flying regulations during 1995 confirmed to date by RAF police investigations are as follows. A number of alleged breaches during the year are still under investigation. Unless stated otherwise a lateral breach of the avoidance area listed occurred in each case.

Date	*Location*	*Numbers and type of A/C*	*Nationality*	*Nature of breach*
4 January	Caerlaverock Dumfries and Galloway	1 x Tornado	RAF	Wildfowl and Wetlands Trust avoidance area
5 January	Caerlaverock Dumfries and Galloway	1 x Tornado	RAF	Wildfowl and Wetlands Trust avoidance area
11 January	Caerlaverock Dumfries and Galloway	1 x Tornado	RAF	Wildfowl and Wetlands Trust avoidance area
17 January	Haddington East Lothian	1 x Jaguar	RAF	East Fortune Microlight Site avoidance area
20 January	Caerlaverock Dumfries and Galloway	3 x Harrier	RAF	Wildfowl and Wetlands Trust avoidance area
23 January	Near Hay-on-Wye Powys	4 x F15	USAF	Hay Bluff Hang Gliding Site avoidance area
24 January	Caerlaverock Dumfries and Galloway	1 x Tornado	RAF	Wildfowl and Wetlands Trust avoidance area
2 February	Caerlaverock Dumfries and Galloway	1 x Tornado	RAF	Wildfowl and Wetlands Trust avoidance area
16 February	Lockerbie, Dumfries and Galloway	1 x Harrier	RAF	Lockerbie avoidance area
15 March	Sellafield Cumbria	1 x Harrier	RAF	BNFL Sellafield avoidance area
22 March	Caerlaverock Dumfries and Galloway	2 x F15	USAF	Wildfowl and Wetlands Trust avoidance area
23 March	Bude Cornwall	1 x Tornado	TTTE	Seasonal avoidance in Little Youlstone
24 March	Bude Cornwall	1 x Hunter	RAF	Seasonal avoidance in Little Youlstone
31 March	Ruabon Clwyd	1 x Sea Harrier	RN	Monsanto Chemical Works avoidance area
3 April	Frittenden Kent	3 x Chinook	RAF	Unauthorised flight within UK night low flying system
5 April	Corsham Wiltshire	3 x Chinook	RAF	Unauthorised flight within UK night low flying system
7 April	Newent Gloucester	2 x F15	USAF	Unauthorised flight within LFA 4 of the UKLFS
11 April	Milton Keynes Bucking-hamshire	1 x Tornado	TTTE	Milton Keynes General Hospital avoidance area
19 April	Near Gainsborough Lincolnshire	1 x Tornado	TTTE	CANP avoidance area
20 April	Near Gainsborough Lincolnshire	1 x Tornado	RAF	CANP avoidance area
21 April	Caerlaverock Dumfries and Galloway	1 x Harrier	RAF	Wildfowl and Wetlands Trust avoidance area
5 May	Bude Cornwall	1 x Hawk	RAF	Seasonal avoidance in Little Youlstone
9 May	Bude Cornwall	1 x Tornado	RAF	Seasonal avoidance in Little Youlstone
9 May	Talgarth Dyfed	1 x Harrier	RAF	Black Mountains Gliding Club avoidance area
9 May	Talgarth Dyfed	1 x Harrier	RAF	Unauthorised flight in LFA 7 of the UKLFS
11 May	Caerlaverock Dumfries and Galloway	1 x Tornado	RAF	Wildfowl and Wetlands Trust avoidance area
16 May	Auchleven Grampian	1 x F15	USAF	Insch Airfield avoidance area
17 May	Auchleven Grampian	1 x Jaguar	RAF	Insch Airfield avoidance area
23 May	Caerlaverock Dumfries and Galloway	1 x Tornado	RAF	Wildfowl and Wetlands Trust avoidance area
25 May	Talgarth Dyfed	1 x Harrier	RAF	Black Mountains Gliding Club avoidance area

Date	Location	Numbers and type of A/C	Nationality	Nature of breach
25 May	Newent Gloucester-shire	1 x Harrier	RAF	National Birds of Prey Centre avoidance area
6 June	Auchleven Grampian	1 x Jaguar	RAF	Insch Airfield avoidance area
7 June	Caerlaverock Dumfries and Galloway	1 x Hercules	RAF	Wildfowl and Wetlands Trust avoidance area
8 June	Loch Eil Lochaber	1 x Jaguar	RAF	CANP avoidance area
13 June	Caerlaverock Dumfries and Galloway	1 x F15	USAF	Wildfowl and Wetlands Trust avoidance area
27 June	Talgarth Dyfed	2 x F15	USAF	Black Mountain Gliding Club avoidance area
27 June	Talgarth Dyfed	2 x F15	USAF	Unauthorised flight in LFA 7 of the UKLFS
29 June	Staple Kent	1 x Hawk	RAF	Unnecessary repetitive overflight
1 July	Minster Kent	1 x Wessex	RAF	Unauthorised flight in LFA 18 of the UKLFS
5 July	Carmarthen Powys	2 x Harrier	RAF	Dyfed/Powys Police Helicopter Landing Site avoidance area
7 July	Driffield East Yorks	1 x Tornado	TTTE	Overflew Driffield, a town listed for avoidance
7 July	Llanwrtyd Wells Powys	1 x Harrier	RAF	Operational Low Flying avoidance near Llanwrtyd Wells
13 July	Hull Humberside	1 x Jaguar	RAF	Saltend Petro-Chemical Works avoidance area
19 July	Hawick Borders	1 x Tornado	RAF	Overflew Hawick, a town listed for avoidance
24 July	Newport Gwent	1 x Hercules	RAF	British Steel Llanwern Works temporary avoidance area
24 July	Duns Berwickshire	1 x Tornado	TTTE	Dexter Non Woven Chirnside Mill temporary avoidance area
25 July	Newport Gwent	1 x Tornado	TTTE	British Steel Llanwern Works temporary avoidance area
26 July	Sherfield English Hampshire	1 x Puma	RAF	Unauthorised flight within LFA 1 of the UKLFS
10 August	Kettering Northampton-shire	1 x F15	USAF	Boughton House avoidance area
15 August	Keswick Cumbria	1 x Tornado	TTTE	Bewaldeth Hang Gliding Site avoidance area
24 August	Ruabon Clwyd	2 x MH53	USAF	Flexsys (formerly Monsanto) Chemical Works avoidance area
29 August	Near Downham Market Norfolk	4 x Harrier	RAF	CANP avoidance
30 August	Near Downham Market Norfolk	1 x Tornado	RAF	CANP avoidance
30 August	Near Downham Market Norfolk	1 x Tornado	RAF	Unauthorised flight within LFA 6 of the UKLFS
31 August	Near Downham Market Norfolk	2 x Harrier	RAF	CANP avoidance
31 August	Near Downham Market Norfolk	2 x Harrier	RAF	Unauthorised flight within LFA 6 of the UKLFS
11 September	Caerlaverock Dumfries and Galloway	2 x Tornado	RAF	Wildfowl and Wetlands Trust avoidance area
14 September	Kendal Cumbria	4 x F15	USAF	Unauthorised flight within UKLFS
15 September	Caerlaverock Dumfries and Galloway	2 x Tornado	RAF	Wildfowl and Wetlands Trust avoidance area
20 September	Near Holbeach Lincs	1 x Tornado	TTTE	CANP avoidance
29 September	Newport Gwent	1 x Hawk	RN	British Steel Llanwern Works temporary avoidance area
20 October	Newport Gwent	1 x Hawk	RAF	British Steel Llanwern Works temporary avoidance area
2 November	Corse Lawn Gloucester-shire	2 x Harrier	RAF	Unauthorised flight within LFA 4 of the UKLFS

Date	Location	Numbers and type of A/C	Nationality	Nature of breach
2 November	St. Neots Cambridge-shire	1 x Tornado	RAF	Little Barford Power Station temporary avoidance area
20 December	Caerlaverock Dumfries and Galloway	4 x F15	USAF	Wildfowl and Wetlands Trust avoidance area

In cases where the nationality of the aircraft is shown as TTTE, the aircraft came from the tri-national Tornado training establishment at RAF Cottesmore which trains aircrew of the Royal Air Force, German air force and Italian air force using aircraft provided by all three nations.

Formal disciplinary action under the service discipline acts has, to date, been taken in one case. The pilot of the RAF Hawk responsible for the breach at Staple, Kent on 29 June was found guilty by general court martial of one charge, contrary to section 52 of the Air Force Act 1955, of flying an aircraft in a manner causing or likely to cause unnecessary annoyance for which he was severely reprimanded and fined. The finding and sentence are subject to confirmation.

In cases involving UK aircrew where formal disciplinary action is not appropriate, aircrew who have breached regulations may be interviewed by their station commander or other appropriate senior officer. Such action could be recorded on individual's career records and affect flying status and promotion prospects. It is not our policy to release details of such action. It is also the responsibility of senior officers to ascertain what lessons there are to be learnt from such incidents; central records are not maintained.

Reports on breaches by foreign aircrew are passed to their relevant national authorities, with whom responsibility for any further action rests.

Kaymar Telephone Numbers

Mr. Peter Bottomley: To ask the Secretary of State for Defence what inquiries he has received about the Kaymar telephone numbers; and if he will place the substantive replies from his Department in the Library. [25342]

Mr. Soames: My Department has recently been asked about a certain telephone number which the inquirer suggested may have been associated with a photographic studio known as Kaymar Studios. It appears that this inquiry is related to a pending appeal against a conviction for a criminal offence, evidence relating to which should be handled by the relevant solicitors. Such information as is available to my Department has therefore been passed to the Crown Prosecution Service.

Atomic Weapons Establishment, Aldermaston

Mr. Cohen: To ask the Secretary of State for Defence what has been the expenditure by his Department in each of the last 10 years on studies on the decommissioning of facilities at AWE Aldermaston. [25396]

Mr. Arbuthnot : Individual studies are not conducted; decommissioning planning follows standard procedures designed to ensure the safe and complete implementation of the process. Such planning costs are not required to be separately identified.

Trident

Ms Rachel Squire: To ask the Secretary of State for Defence what conditions apply to the nationality of consortiums seeking to become project managers for the nuclear fitting of Trident submarines. [25356]

Mr. Arbuthnot: To optimise control of nuclear licensing and safety requirements, project management of the construction of nuclear submarine refitting facilities at Devonport will be controlled by the dockyard operator, Devonport Royal Dockyard plc. The Secretary of State for Defence will retain a special share in DRD plc, a UK registered company, which will enable the Government to protect essential national security interests in the dockyard facilities, including those associated with nuclear submarine refitting. Company personnel working in sensitive areas are subject to appropriate security clearance.

Joint Air Reconnaissance Intelligence Centre

Mr. Dunn: To ask the Secretary of State for Defence if he will make a statement about the defence agency status for the Joint Air Reconnaissance Intelligence Centre. [25999]

Mr. Soames: I announced on 19 July 1995, *Official Report*, column *1345* that the joint air reconnaissance intelligence centre was a candidate for defence agency status. Since then, we have carried out a detailed business analysis of the organisation under the leadership of the chief executive designate to confirm its suitability to become an agency.

I have agreed to the launch of JARIC as a defence agency from 19 April 1996. The agency will remain fully part of the Department but the chief executive will have delegated executive powers to discharge his responsibilities. These powers are described in the framework document, copies of which will be placed in the Library of the House.

JARIC is based at RAF Brampton, near Huntingdon. It has a total staff of 500, comprising service personnel from all three services and approximately 144 civil servants. It acts as the Department's centre of excellence for the production of imagery intelligence.

It provides this intelligence to military commanders and the Government, in support of current military operations, defence planning and wider intelligence matters.

JARIC has been set demanding targets in an era where the requirement for its expertise is continuing to increase. The targets for the 12 months from April 1996 are:

Key target 1: The completion of approved tasks, within agreed time frame, as follows:

Priority 1: 98 per cent.

Priority 2: 90 per cent.

Priority 3: 85 per cent.

Priority 4: 70 per cent.

Key target 2: By 1 October 1996 to determine a method of measuring Customer Satisfaction to reflect their quality requirements, and make proposals for its implementation.

Key target 3: Achieve a 2.5 per cent improvement in efficiency.

Key target 4: Provide specified support to a major project to upgrade JARIC's technical capabilities.

Key target 5: Introduce systems to meet the HM Treasury Accounts Direction to 1996–97.

These targets will ensure that JARIC meets defence needs for timely intelligence, and will provide for continuous improvement in services and efficiency.

Defence Equipment Exports

Sir Irvine Patnick: To ask the Secretary of State for Defence if the Government will continue to support the export of defence equipment. [25910]

Mr. Arbuthnot: UK defence exports have been a major success story for this country.

With a reducing home defence budget it is vital that we export if we are to maintain our defence industry which supports around 400,000 jobs. Between a third and half of the industry's output, by value, is for exports.

Selling more abroad also brings down the cost of equipment for our own forces and enables us to sustain our essential technology base.

In 1995, despite vigorous international competition from the US and France in particular, the UK won defence equipment contracts worth approximately £5 billion. This gave Britain the second highest market share ever. In no other major industrial sector have we managed to achieve nearly 20 per cent. of the world export market.

Maintaining a strong British defence industry is important for our national security, for the economy and for jobs. The responsible exporting of defence equipment to our friends and allies makes an important contribution to world peace and stability through deterring the expansionist aspirations of unfriendly and aggressive regimes. Article 51 of the UN charter clearly states the right of all nations to self-defence.

Moreover, the UK has a very strict policy on the control of exports of defence equipment. We promote the sale of British defence equipment overseas only in support of our national and international obligations and only where it is compatible with out political, strategic and security interests.

Devonport Royal Dockyard

Mr. Jamieson: To ask the Secretary of State for Defence if Devonport royal dockyard will retain its status as a royal dockyard following privatisation; and what its title will be. [25307]

Mr. Arbuthnot: The subject of the proposed privatisation is the existing company Devonport Royal Dockyard plc, in which the assets of Devonport royal dockyard would be vested at the date of any sale. Her Majesty the Queen has graciously signified that she would be content for the royal title to continue to be used by the dockyard if it is privatised, subject to the use of the royal title being kept under constant review lest the activities of the dockyard develop in such a way as to make the further use of the title inappropriate. Subject to that proviso, the use and continuation of the royal title will be a matter for the purchaser.

Works of Art

Mrs. Clwyd: To ask the Secretary of State for Defence if he will *(a)* identify the print missing since 1991 from Admiralty house, *(b)* place a value on the missing work and *(c)* name the Minister described by the National Audit Office as a former Secretary of State. [20830]

Mr. Sproat: I have been asked to reply.

The missing picture is a view of Admiralty house drawn in 1970 by Alan Dyson. As the work of an amateur artist it is particularly difficult to give it a commercial value. Our best estimate, given that its purchase price in 1970 was £10, is that its current value may be around £50 to £80. The drawing was placed on display in Admiralty house in 1970. The National Audit Office reference to a Secretary of State—who happened to be my right hon. Friend the member for Bridgwater (Mr. King) in 1991—is irrelevant to the loss of the drawing, which had been of unknown whereabouts since 1982.

ENVIRONMENT

Organic Pollutants

Mr. Win Griffiths: To ask the Secretary of State for the Environment if he will make it his policy at the UN Commission on Sustainable Development to be party to a global, legally binding treaty to ban the most dangerous identified persistent organic pollutants. [25414]

Mr. Clappison: The Washington global conference on the protection of the marine environment from land-based activities agreed in November 1995 that international action is needed to develop a global, legally binding instrument concerning certain persistent organic pollutants. The United Kingdom supported that conclusion and will work to take it forward through the intergovernmental forum on chemical safety. Our stance at the Commission on Sustainable Development will be based on that approach.

Mr. Griffiths: To ask the Secretary of State for the Environment if he will list the most dangerous persistent organic pollutants that enter inland and coastal waters; and what action he intends to take in respect of the adoption of the United Nations environment programme programme of action on land-based sources of marine pollution. [25413]

Mr. Clappison: The Washington global programme of action for the protection of the marine environment from land-based activities reflects generally the approaches adopted by the United Kingdom and other states bordering the north-east Atlantic. Pursuing our present policies will therefore lead to its implementation.

The global programme of action notes the need for a legally binding global instrument to address certain persistent organic pollutants or groups of such substances. On the basis of work under the convention on long-range transport of air pollution of the UN Economic Commission for Europe—UNECE/LRTAP—these are

identified as aldrin, dieldrin, DDT, endrin, chlordane, hexachlorobenzene, Mirex, toxaphene, heptachlor, polychlorinated biphenyls, dioxins and furans.

The United Kingdom is supporting the negotiation of such an instrument through the intergovernmental forum on chemical safety.

WALES

Fish (Pollution)

Mr. Morgan: To ask the Secretary of State for Wales what factors underlay the exclusion of migratory edible fish species, other than salmon and sea trout, from the provisions of the Food Protection (Emergency Prohibitions) Oil and Chemical Pollution orders; and if he will make a statement. [25164]

Mr. Hague: The catching of eels, including elvers, is prohibited up to the high water mark in the area covered by the Food Protection (Emergency Prohibitions) (Oil and Chemical Pollution of Fish and Plants) Order 1996. The close season for eel angling in the freshwater area beyond runs from 14 March to June, when anglers are prohibited from taking them. There are no commercial eel interests in that area.

The allis shad is protected under the Wildlife and Countryside Act 1981; the twaite shad and sea lamprey are listed species under the EC habitats directive and neither is targeted by anglers.

Farm Accidents

Mr. Llwyd: To ask the Secretary of State for Wales how many accidents were reported on farms in Wales in 1994–95; and what measures he has taken to increase awareness of accident prevention among farm workers. [25015]

Mr. Gwilym Jones: In the agriculture and horticulture industry in Wales, in 1994–95, a provisional total of seven fatal and 80 non-fatal occupational injuries to all workers along with five major injuries to members of the public were reported to enforcing authorities. Information on the number of injuries which occurred on farms is not available separately.

The Health and Safety Executive carries out a number of initiatives to increase awareness of health and safety in the agriculture industry. In 1994–95, these measures included campaigns on tractor safety, working near overhead power cables and using all-terrain vehicles, aimed particularly at farm workers. In addition, the HSE produces free publications in English and Welsh and seeks to raise awareness through information at shows such as the Royal Welsh and through liaison with a range of other organisations in the industry. It also carries out inspections on those workplaces that present the greatest risk.

Agricultural Employment

Mr. Llwyd: To ask the Secretary of State for Wales how many *(a)* full-time farmers, *(b)* part-time farmers, *(c)* full-time agricultural tenants, *(d)* part-time agricultural tenants there are currently in (i) Wales and (ii) each district and county council area in Wales; and if he will make a statement. [25019]

Mr. Gwilym Jones: The information requested is shown for the old counties and districts in the table.

Full-time and part-time farmers and tenants in Wales: June 1995

Local authority areas	*Number of full-time farmers*	*of which: Full-time agricultural tenants*	*Number of part-time farmers*	*of which: Part-time agricultural farmers*
Alyn/Deeside	200	57	95	14
Colwyn	632	151	260	49
Delyn	415	105	220	25
Glyndwr	1,005	223	402	64
Rhuddlan	118	43	53	13
Wrexham/Maelor	506	122	261	54
Clwyd	2,876	701	1,291	219
Carmarthen	2,126	261	1,039	82
Ceredigion	2,212	248	1,036	111
Dinefwr	1,172	132	546	51
Llanelli	278	52	145	16
Preselli Pembrokeshire	1,779	283	734	68
South Pembrokeshire	539	164	266	42
Dyfed	8,106	1,140	3,766	370
Blaenau Gwent	60	13	63	20
Islwyn	76	17	50	17
Newport	196	24	77	17
Monmouth	1,040	242	599	64
Torfaen	87	28	75	26
Gwent	1,459	324	864	127

Full-time and part-time farmers and tenants in Wales: June 1995

Local authority areas	*Number of full-time farmers*	*of which: Full-time agricultural tenants*	*Number of part-time farmers*	*of which: Part-time agricultural farmers*
Aberconwy	441	152	146	41
Arfon	325	79	286	53
Dwyfor	795	230	347	72
Meirionydd	791	163	349	69
Ynys Môn	929	322	520	96
Gwynedd	3,281	946	1,648	331
Cynon Valley	73	15	51	9
Merthyr Tydfil	43	14	29	7
Ogwr	206	56	126	22
Rhondda	13	26	13	12
Rhymney Valley	151	26	84	12
Taff Ely	147	37	80	16
Mid Glamorgan	633	148	383	66
Brecknock	1,279	252	483	74
Montgomeryshire	2,307	407	850	152
Radnorshire	1,161	152	414	55
Powys	4,747	811	1,747	281
Cardiff	67	22	33	48
Vale of Glamorgan	301	97	164	48
South Glamorgan	368	119	197	48
Port Talbot	40	50	30	15
Lliw Valley	199	50	139	15
Neath	79	8	72	7
Swansea	232	46	141	19
West Glamorgan	550	104	382	41
Wales	22,020	4,293	10,278	1,483

Source:
June 1995 agricultural and horticultural census.
Some of the data have been amalgamated to prevent disclosure of information relating to individual farm holdings.

Suicide

Mr. Llwyd: To ask the Secretary of State for Wales if he will list for each district council in Wales and for Wales as a whole for the latest available year *(a)* the total number of suicides, *(b)* the number of suicides by farmers and *(c)* *(b)* as a percentage of *(a)*. [25163]

Mr. Gwilym Jones: The information requested, supplied by the office for national statistics, is for 1994 and is given in the table, based on the recently revised definition of suicides set out in the footnote.

District of residence	*Suicides[1]— total*	*Suicides[1] farmers[2]*	*Farmers suicides as a percentage of all suicides*
Alyn and Deeside	8	—	—
Colwyn	14	—	—
Delyn	11	1	9.1
Glyndwr	6	1	16.7
Rhuddlan	8	—	—
Wrexham Maelor	10	—	—
Carmarthen	5	1	20.0
Ceredigion	9	—	—
Dinefwr	4	1	25.0
Llanelli	9	—	—
Preseli Pembrokeshire	9	—	—
South Pembrokeshire	3	—	—
Blaenau Gwent	5	—	—
Islwyn	1	—	—
Monmouth	11	—	—
Newport	10	—	—
Torfaen	10	—	—
Aberconwy	11	—	—
Arfon	7	—	—
Dwyfor	3	—	—
Meirionnydd	8	1	12.5
Ynys Môn Isle of Anglesey	6	1	16.7
Cynon Valley	4	—	—
Merthyr Tydfil	7	—	—
Ogwr	16	—	—
Rhondda	11	—	—
Rhymney Valley	6	—	—
Taff Ely	9	—	—
Brecknock	11	2	18.2
Montgomeryshire	2	1	50.0
Radnorshire	8	1	12.5
Cardiff	38	—	—
Vale of Glamorgan	9	1	11.1
Lliw Valley	9	1	11.1
Neath	5	—	—

District of residence	Suicides[1]—total	Suicides[1] farmers[2]	Farmers suicides as a percentage of all suicides
Port Talbot	7	—	—
Swansea	21	—	—
Wales	331	12	3.6

[1] International Classification of Diseases, Injuries and Causes of Death (9th revision): ICD E950–E959, E980–E989 (excluding E988.8)—suicides and undetermined deaths (excluding other specified means).
[2] Farmers, farm managers and horticulturists.

European Structural Funds

Mr. Morgan: To ask the Secretary of State for Wales what assessment he has made of the underspending on the allocation of funds from European structural funds during the 1995–96 financial year; what provision he will make to carry over the funds involved; and what consultation he has had with his counterparts in the European Commission concerning approval for a carry-over provision. [24921]

Mr. Hague: Despite the late approval by the Commission of the objective 2 and 5(b) programmes in Wales and a number of community initiative programmes, it is expected that all the resources under these programmes will be allocated to projects on time.

A465

Mr. Llwyd: To ask the Secretary of State for Wales how many *(a)* deaths, *(b)* injuries and *(c)* accidents there have been on the A465 Aberdulais to Glyn Neath since 1985; and if he will make a statement. [25006]

Mr. Gwilym Jones: The information requested is shown in the table. The data cover personal injury accidents recorded by the police on the A465 between Aberdulais and Glyn Neath.

Year	Number of accidents	Number of fatalities	Number of injuries
1985	20	2	42
1986	20	3	34
1987	12	—	25
1988	18	3	35
1989	21	1	35
1990	39	4	63
1991	28	3	42
1992	28	3	48
1993	28	2	60
1994	23	2	35
1995	40	—	83

Planning Policy Guidance

Mr. Win Griffiths: To ask the Secretary of State for Wales (1) when he expects to publish planning draft technical advice notes for consultation; and if these will be published before planning policy guidance for Wales is issued in a definitive form; [25412]

(2) if he will make a statement about the development of planning policy as reflected in letters from his Department to *(a)* Ms M. Williams on 13 October 1995 and *(b)* Ms J. Toms on 14 March 1996; and if technical advice notes will be issued before the final version of his planning policy guidance. [25417]

Mr. Gwilym Jones: I refer the hon. Member to the reply given to the hon. and learned Member for Montgomery (Mr. Carlile) by my right hon. Friend on 25 March, *Official Report*, column *452*.

Road Signage

Mr. Win Griffiths: To ask the Secretary of State for Wales what estimate he has made of the cost of replacing road signage to take account of the changes in local government implemented on 1 April. [25415]

Mr. Gwilym Jones: No such estimate has been made. The cost of replacing boundary signs falls to the relevant unitary authority.

Mr. Griffiths: To ask the Secretary of State for Wales what procedures have to be followed to change motorway signs to take account of the local government changes brought into effect on 1 April; and what estimate he has made of the cost of such changes. [25416]

Mr. Jones: The Welsh Office has to approve the design and location of any boundary signs prior to their installation on the motorway. The costs fall to the relevant unitary authority.

Children's Homes

Mr. Peter Bottomley: To ask the Secretary of State for Wales how much of the Jillings report to Clwyd county council he will require to be published. [25343]

Mr. Hague: The Government's overriding objective is to ensure the safety and well-being of children in care in north Wales. It was for this reason that my predecessor, in the light of the child abuse trials in Clwyd, asked Miss Nicola Davies QC in May 1995 to consider whether a public inquiry was needed and, if so, what form it should take. Miss Davies reported to me in November 1995 and I published her conclusions and recommendations in December.

At the same time, I announced the appointment of a team headed by Ms Adrianne Jones to undertake the examination of management practices and procedures in social service departments in north Wales that Miss Davies had recommended. Ms Jones is due to report to me at the end of May. I shall publish her findings and will seek to ensure that the new local authorities adopt procedures that conform with current best practice.

Quite separately, Clwyd county council commissioned its own independent panel of inquiry in March 1994. It comprised a team of social work professionals chaired by Mr. John Jillings. In exercising its statutory powers, Clwyd county council did not need to consult my Department about this decision or about the procedures the inquiry would adopt.

I understand from a press release that Clwyd county council considered Mr. Jillings' report, or a draft of it, at its meeting on 26 March. My Department subsequently received from Flintshire county council, one of the successor authorities, a version of the Jillings report which, it was told, did not incorporate all of the 200 or so factual corrections which Clwyd county council had

requested. At the same time, it received a copy of legal advice commissioned by Clwyd county council which concluded that the report could not be published.

I believe that it would be in the public interest for the successor local authorities to seek urgently to produce a version of the report that can safely be published. It is a matter of regret that those who commissioned the inquiry apparently failed to ensure that it would be undertaken in a way which would make its conclusions publishable. I have therefore written today to the leaders or chairmen of the five successor authorities to Clwyd county council requesting that they:

(1) Let me know whether the version of the independent panel's report, which my Department currently holds, incorporates all the 200 or so corrections that Clwyd county council requested, and is the final version formally signed and presented by the panel members;

(2) Let me know at once what, if any, action Clwyd county council formally resolved to take on the report, and whether any such resolution may now be taken as representing the wishes of its authorities;

(3) In consultation with the independent panel, seek urgently to produce a version of the report that can safely be published;

(4) Make a final and full version of the report available to the investigating and the prosecuting authorities so that they can consider whether it contains sufficient grounds to justify reopening investigations, and to Ms Adrianne Jones so that she can consider its relevance to the review of existing systems that she is undertaking for me.

I am placing a copy of my letter to the local authorities in the Library of the House.

OVERSEAS DEVELOPMENT ADMINISTRATION

Zimbabwe Environmental Conference

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the letter from the Minister of Overseas Development on 2 April, who will represent the United Kingdom at the environmental conference in Zimbabwe later this year; and if land pollution is on the agenda. [25499]

Mr. Hanley: Participants from the UK are expected to include experts from the academic and private sectors concerned with best environmental practice in the mining industry. Land pollution will be discussed under various themes on the agenda.

EDUCATION AND EMPLOYMENT

Assisted Places Scheme

Mr. Blunkett: To ask the Secretary of State for Education and Employment what budget was allocated for the assisted places scheme in 1995–96; what was the actual spending on the assisted places scheme in that year; and what budget has been allocated to the assisted places scheme for 1996–97. [25513]

Mrs. Gillan: Provision in the supply estimates for the assisted places scheme in the financial year 1995–96 was £104.4 million. Final outturn expenditure has yet to be confirmed through the usual appropriation accounts procedures. The planned spending for the financial year 1996–97 is £118.3 million.

Departmental Budget

Mr. Blunkett: To ask the Secretary of State for Education and Employment in what areas of her departmental budget actual spending in 1995–96 fell short of projected spending; if she will indicate the relevant budget headings and amount in each case; and if she will make a statement. [25481]

Mr. Robin Squire: Net outturn expenditure figures for 1995–96 have yet to be confirmed through the usual appropriation accounts procedures. Final figures for each of the Department's votes will be included in a public expenditure outturn White Paper to be published in the summer. I shall send the hon. Member the detail he requests on individual budget headings at that time.

Independent Schools (Inspections)

Mr. Jamieson: To ask the Secretary of State for Education and Employment for what reason the number of Office for Standards in Education inspections of independent schools is being reduced. [25306]

Mr. Robin Squire: This is a matter for Her Majesty's chief inspector of schools, who heads the Office for Standards in Education. I have asked Mr. Chris Woodhead to write to the hon. Member.

NATIONAL HERITAGE

Government Art Collection

Mr. Jopling: To ask the Secretary of State for National Heritage if she will list the 20 most valuable pictures in the Government's art collection which are made available to be displayed in public buildings and embassies overseas, together with the names of the artist, most recent valuation and current location. [24875]

Mr. Sproat: It is not possible to state which 20 of the Government's art collection of some 14,000 works of art are the most valuable in monetary terms. The monetary value of a picture can be assessed only at the time of purchase or sale and thereafter by professional valuation. It would not be a justifiable expenditure of public funds to have the whole collection valued professionally. As a general rule, the most highly esteemed pictures are placed where they will best serve the national interest, that is to say, in prestige locations at home and abroad.

Violence Chip Technology

Mr. Alton: To ask the Secretary of State for National Heritage (1) what research she has *(a)* commissioned and *(b)* evaluated on (i) the adoption by the Canadian Radio-Television and Telecommunications Commission of a programme of action to introduce V chip technology and encode television programmes, (ii) the Shaw-Rogers V chip trials, (iii) the Edmonton trials of V chip technology by Shaw Cablesystems and Superchannel in 1994, (iv) the Rogers Cablesystem V chip trials in Toronto and Ottawa in 1995, (v) Canadian Television broadcasting companies' trails of V chip technology in Montreal in 1995 and (vi) the third round of V chip trials by Shaw Cable and Rogers Cablesystems in Canada in February 1996; [24974]

(2) what reports she has received on the Shaw Communications V chip cable converter box; [24983]

(3) what reports she has received on the discussions, research and trials which preceded the passing of the recent US Telecommunications Act; [24979]

(4) what contacts her Department has had with Shaw Cablesystems concerning V chip technology; [24985]

(5) if her Department holds a copy of the Canadian Radio-Television and Telecommunications Commission's policy on programme classification for V chip technology; [24981]

(6) what discussions her Department has had with the Canadian Radio-Television and Telecommunications Commission concerning the V chip; [24984]

(7) what reports she has received on the work of the US Electronic Industries Association Group since 1992 on the application of V chip technology. [24982]

Mr. Sproat *[holding answer 16 April 1996]:* My Department is paying close attention to the full range of broadcasting issues arising from the V chip, in conjunction with broadcasters, regulators, consumer groups and other interested parties. Should technological implications ensue, these would of course be a matter for my right hon. Friend the President of the Board of Trade.

As part of the review of the issues, we shall be taking full account of the experience in the USA and Canada. Last month the Secretary of State met Dr. Arthur Pober, executive director of the Entertainment Software Rating Board, and Professor Jeffrey Bernstein, an expert in studies on violence in the media from Utrecht university, who gave a detailed account of the experience in the USA. They also addressed a seminar hosted by my Department and organised by the Advertising Association, at which my noble Friend Lord Inglewood was also present and which was well attended by representatives of the broadcasting industry, consumer groups and others.

The Secretary of State is considering what specific research on V chip related matters to commission and will be interested to receive any information that the hon. Member offers to provide.

Mr. Alton: To ask the Secretary of State for National Heritage if officials from her Department attended the V chip display at the technology exposition of the G7 meeting in Brussels in February 1994. [24986]

Mr. Sproat *[holding answer 16 April 1996]:* No.

Mr. Alton: To ask the Secretary of State for National Heritage what reports she has received on the V chip amendment to the European directive, "Television Without Frontiers", 89/552/EEC. [24980]

Mr. Sproat *[holding answer 16 April 1996]:* The Secretary of State has been notified of the European Parliament's amendments, adopted on 14 February, including amendment 55. The United Kingdom, along with all member states, awaits the modified proposal from the European Commission, which may or may not include this amendment.

Compliance Cost Assessments

Ms Ruddock: To ask the Secretary of State for National Heritage how many compliance cost assessments were produced by her Department in 1995; and if she will place copies in the Library. [25272]

Mr. Sproat *[holding answer 16 April 1996]:* No such assessments were produced by my Department during 1995.

National Audit Office

Mr. Byers: To ask the Secretary of State for National Heritage How many files marked "Not for National Audit Office Eyes" are currently held by her Department. [24854]

Mr. Sproat *[holding answer 17 April 1996]:* There are 43 files in my Department out of a total of approximately 170,000 marked "Not to be seen by NAO without reference to the appropriate Head of Division", sometimes abbreviated to "Not for NAO Eyes".

The marking "Not for NAO Eyes" is used in accordance with an agreement between the Treasury and the National Audit Office, under which documents relating to the handling of relations between Departments and the NAO and Public Accounts Committee are not automatically available to the NAO while they are current.

SOCIAL SECURITY

Child Support Regulations

Mr. Chris Smith: To ask the Secretary of State for Social Security if he will place in the Library a copy of the response made by the Council on Tribunals to the proposed Social Security (Adjudication) and Child Support Amendment Regulations 1996. [24824]

Mr. Andrew Mitchell: A copy has been placed in the Library.

Child Support Agency

Mr. Hinchliffe: To ask the Secretary of State for Social Security what steps he is taking to improve response times by the Child Support Agency to public correspondence and to ensure that all correspondence receives a reply. [24127]

Mr. Andrew Mitchell: The administration of the Child Support Agency is a matter for the chief executive, Miss Ann Chant. She will write to the hon. Member.

Letter from Miss Ann Chant to Mr. Hinchliffe, dated 17 April 1996:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about Child Support Agency response times to public correspondence.

The Agency has a charter standard to respond to written enquiries within 10 working days. For written complaints, the standard is that they should be acknowledged within 2 working days, and a full response given within 10 working days. Currently, the Agency is responding to 40% of written enquiries within 10 working days; for complaints, current performance is that 87% are acknowledged within 2 working days, with 42% receiving a full response within 10 working days.

The Agency is looking at ways to improve performance in this important area. Working practices within the Agency's six Centres have been altered, and greater emphasis has been put on responding quickly to clients' enquiries. Each Centre has also introduced a tracking system specifically to handle complaints.

All items of mail received in the Agency's six Centres are promptly sorted, recorded on the Child Support Computer System and distributed to the relevant sections who will then take the necessary action. A diary system ensures tasks are prioritised and the progress of work is monitored until completion.

If an item of post is received and staff are unable to identify which case it relates to because, for example, there is insufficient information, the Agency writes to the correspondent asking for more details. At 31 March 1996, there were a total of 127 such items in the Agency's six Centres.

It is worth noting that all correspondence received by the Agency from clients does not require a written response; often it is the case that letters are received reporting changes in circumstances or requesting action to be taken. Where this is the case, the Agency takes whatever action is appropriate and no written response is necessary.

On a more general note, during the next few months all the Centres will introduce Complete Action Service Teams which will deal with cases across a wide range of activities which had previously been undertaken by different sections. These teams will also help to provide a better service to our customers by keeping cases up to date and will cut down the transfer of cases within the Centres.

I hope this is helpful.

Mr. Hinchliffe: To ask the Secretary of State for Social Security what was the total Child Support Agency budget for *(a)* paper and *(b)* printing in each year of its operation. [24064]

Mr. Mitchell: The administration of the Child Support Agency is a matter for the chief executive, Miss Ann Chant. She will write to the hon. Member.

Letter from Miss Ann Chant to Mr. David Hinchliffe, dated 17 April 1996:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about paper and printing costs within the Child Support Agency.

Individual costs for paper and printing are not readily obtainable as they both form part of a larger account entitled "Printing & Stationery", which includes printing, stationery and other miscellaneous stationery items.

The total costs for "Printing & Stationery" for the three financial years since the launch of the Agency are as follows:

1993/94: £518,823

1994/95: £1,160,842

1995/96: £2,235,698 (subject to end of year adjustment)

I hope this is helpful.

Mr. Hinchliffe: To ask the Secretary of State for Social Security what is his estimate of the number of items of correspondence issued annually by the Child Support Agency; and at what total cost, for each year of activity. [24063]

Mr. Mitchell: The administration of the Child Support Agency is a matter for the chief executive, Miss Ann Chant. She will write to the hon. Member.

Letter from Miss Ann Chant to Mr. David Hinchliffe, dated 17 April 1996:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about Child Support Agency correspondence.

I cannot provide you with a meaningful estimate of the number of items of correspondence issued annually by the Agency. This information is not recorded by the Agency as there is no business need to do so.

However, I can confirm that the total costs of General Postage were as follows:

(i) During the financial year 1993–94: £1,041,851

(ii) During the financial year 1994–95: £1,607,747

(iii) During the financial year 1995–96: £1,537,482 (subject to final confirmation)

I hope this is helpful.

Statutory Maternity Pay

Mr. Pawsey: To ask the Secretary of State for Social Security what plans he has to implement the European Court of Justice judgment in the case of Gillespie and Others *v.* Northern Health and Social Services Board and Others (C-342/93) where it effects the calculation of statutory maternity pay. [25928]

Mr. Heald: I will shortly be laying regulations to amend the rules for calculating the earnings-related element of statutory maternity pay, SMP, to bring the calculation into line with the European Court of Justice judgment.

In its judgment of 13 February 1996, the court stated that where a woman's maternity pay is calculated on the basis of pay received before her maternity leave starts, that calculation must take account of any backdated pay rises subsequently awarded and which take effect in the period used to work out her maternity pay. Not to allow a woman on maternity leave to benefit from a pay rise would be to discriminate against her on the ground of her pregnancy.

One of the qualifying conditions for SMP is that a woman's normal weekly earnings must be at least equal to the lower earnings limit for the payment of national insurance contributions. If this condition is satisfied, SMP is payable at 90 per cent. of her normal weekly earnings for the first six weeks of her 18-week maternity pay period. The woman's normal weekly earnings are calculated using payments actually made to her by her employer in the eight weeks immediately preceding the 14th week before the week in which her baby is expected. At present, no account is taken of backdated pay rises awarded after this period.

The new rules will mean that employers must revise the earnings-related element of SMP if a backdated pay rise is awarded that effects payments made in the period used to calculate the amount of SMP due.

Sickness Benefit

Mr. William O'Brien: To ask the Secretary of State for Social Security what responses he has received from small businesses to his proposals for them to pay sickness benefits claims; and if he will make a statement. [24319]

Mr. Heald: All employers have been responsible for administering statutory sick pay, SSP, since its introduction in 1983. The costs of SSP were transferred to employers in April 1994 to give them an incentive to tackle high sick absences. The cost to business was more than offset by the reduction in employers' national

insurance contributions. In addition, there were measures taken to protect small businesses faced with a large proportion of their work force off sick at any one time.

The Department has recently sought views from both sides of industry on a proposal which would allow employers exemption from operating the rules of the SSP scheme where, and for as long as, they pay wages or occupational sick pay at or above the SSP rate for any day of incapacity for work. Employers could choose whether to take advantage of the easement, and employees' rights would not be affected. Responses to the proposal, a number of which are from small businesses, are currently being examined.

SCOTLAND

Initial Healthcare

Mr. McAllion: To ask the Secretary of State for Scotland what penalties have been applied as a result of Initial Healthcare being in default in relation to staffing levels within the contract for hotel services at Hairmyers/Stonehouse trust. [25202]

Lord James Douglas-Hamilton: The trust has withheld appropriate sums from some of the monthly payments due to the company.

Mr. McAllion: To ask the Secretary of State for Scotland if he will make a statement on the standards met by Initial Healthcare in respect of domestic services at Edinburgh Royal Infirmary trust. [25242]

Lord James Douglas-Hamilton: Deficiencies identified early in 1995 in the delivery of domestic services at the royal infirmary have been resolved to the satisfaction of the trust.

Dental Services

Mr. Simon Hughes: To ask the Secretary of State for Scotland how many (i) children, (ii) adults and (iii) people in total were registered with dentists in each health board in *(a)* February 1993, *(b)* July 1993, *(c)* February 1994, *(d)* July 1994, *(e)* February 1995, *(f)* July 1995 and *(g)* February 1996. [25228]

Lord James Douglas-Hamilton: The information requested is contained in the tables.

Total number of adults registered with dentists in each health board in Scotland

Health Board	*February 1993*	*July 1993*	*February 1994*	*July 1994*	*February 1995*	*July 1995*	*February 1996*
Scotland	1,959,578	1,920,151	1,914,284	1,899,482	1,902,179	1,890,451	1,947,170
Argyll and Clyde	158,982	154,135	152,956	150,710	151,381	151,791	157,097
Ayrshire and Arran	150,788	147,831	148,768	147,185	144,333	143,529	147,821
Borders	44,365	42,880	42,331	42,498	43,335	44,117	47,054
Dumfries and Galloway	54,798	50,218	49,865	48,872	47,870	47,636	49,981
Fife	129,481	127,987	127,802	128,050	131,175	131,304	133,264
Forth Valley	102,056	99,200	98,740	98,317	99,697	98,969	100,582
Grampian	200,156	199,128	199,362	198,014	197,869	195,485	199,764
Greater Glasgow	367,552	362,334	358,865	354,665	354,131	351,733	357,820
Highland	74,711	70,261	65,118	61,426	60,579	58,770	64,816
Lanarkshire	185,555	182,100	182,456	182,048	183,449	181,874	185,345
Lothian	303,730	298,315	299,862	298,672	299,002	296,797	308,842
Orkney	6,774	7,180	7,428	7,534	6,268	5,497	5,700
Shetland	5,994	6,177	6,374	6,597	6,761	6,694	7,601
Tayside	166,367	164,187	166,302	166,928	168,236	167,885	172,157
Western Isles	8,269	8,218	8,055	7,965	8,093	8,370	9,326

Total[1] number of children registered with dentists in each health board in Scotland

Health Board	*February 1993*	*July 1993*	*February 1994*	*July 1994*	*February 1995*	*July 1995*	*February 1996*
Scotland	596,054	682,386	610,268	685,802	600,625	676,118	619,823
Argyll and Clyde	54,089	62,436	55,617	62,658	54,297	61,296	55,488
Ayrshire and Arran	49,669	56,119	50,116	55,360	48,603	54,403	49,598
Borders	10,751	11,897	11,216	12,430	11,731	12,788	12,278
Dumfries and Galloway	18,174	20,334	18,112	20,172	18,039	20,257	18,732
Fife	42,974	48,309	43,361	48,431	42,964	48,123	44,257
Forth Valley	33,116	37,536	33,714	37,600	32,743	36,849	33,445
Grampian	61,850	69,644	83,383	70,454	63,426	70,011	64,947
Greater Glasgow	109,779	127,055	110,696	126,746	108,313	124,302	111,044
Highland	23,919	28,045	25,223	27,999	23,934	26,918	25,220
Lanarkshire	58,579	69,046	60,964	69,256	59,329	67,736	60,603
Lothian	80,671	92,312	83,309	93,962	83,469	93,757	88,879
Orkney	370	427	561	784	464	441	415
Shetland	173	199	214	273	249	273	247
Tayside	50,790	57,497	52,459	58,139	51,957	57,611	53,444
Western Isles	1,150	1,530	1,323	1,538	1,107	1,353	1,226

[1] Comparability of figures for children registered in different months within the same year is affected by registration patterns as children's registrations lapse at the end of the calendar year following the one in which they last saw a dentist.

Total number of people registered with dentists in each health board in Scotland

Health Board	*February 1993*	*July 1993*	*February 1994*	*July 1994*	*February 1995*	*July 1995*	*February 1996*
Scotland	2,555,632	2,602,537	2,524,552	2,585,294	2,502,804	2,566,569	2,566,993
Argyll and Clyde	213,071	216,571	208,573	213,368	205,678	213,087	212,585
Ayrshire and Arran	200,457	203,950	198,884	202,545	192,936	197,932	197,419
Borders	55,116	54,777	53,547	54,928	55,066	56,905	59,332
Dumfries and Galloway	72,972	70,552	67,977	69,044	65,909	67,893	68,713
Fife	172,455	176,296	171,163	176,481	174,139	179,427	177,521
Forth Valley	135,172	136,736	132,454	135,917	132,440	135,818	134,027
Grampian	262,006	268,772	262,745	268,468	261,295	265,496	264,711
Greater Glasgow	477,331	489,389	469,561	481,411	462,444	476,035	468,864
Highland	98,630	98,306	90,341	89,425	84,513	85,688	90,036
Lanarkshire	244,134	251,146	243,420	251,305	242,778	249,610	245,948
Lothian	384,401	390,627	383,171	392,634	382,471	390,554	397,721
Orkney	7,144	7,607	7,989	8,318	6,732	5,938	6,115
Shetland	6,167	6,376	6,588	6,870	7,010	6,967	7,848
Tayside	217,157	221,284	218,761	225,067	220,193	225,496	225,601
Western Isles	9,419	9,748	9,378	9,503	9,200	9,723	10,552

Mr. Hughes: To ask the Secretary of State for Scotland on what date dentists were first required to register their patients; and when his Department first received information on *(a)* total registrations which dentists and *(b)* total deregistrations by dentists from each health board or equivalent body. [25227]

Lord James Douglas-Hamilton: Dentists have been able to register patients since 1 October 1990. The Department has received information from the dental practice division on the total number of patients registered in Scotland since October 1990. Information about de-regulations has been supplied by each health board since 17 July 1992.

Mr. Hughes: To ask the Secretary of State for Scotland, pursuant to his answer of 25 March, *Official Report*, column *420*, if the statistical basis for calculating the number of people deregistered by their dentists is the same as that applied by the Department of Health; and what changes in the method of calculation have been made in the last 18 months. [25229]

Lord James Douglas-Hamilton: The information provided by health boards is simply recorded and aggregated to produce the all-Scotland figures and cumulative totals; the procedure has not been changed.

Iron Age Site (Outer Hebrides)

Mr. Dalyell: To ask the Secretary of State for Scotland what resources he is providing to Historic Scotland and the University of Edinburgh to undertake a rescue operation to prevent destruction and erosion of the iron age site on Greater Bernera in the Outer Hebrides; and if he will make a statement. [25536]

Lord James Douglas-Hamilton: My right hon. Friend provides resources to his executive agency, Historic Scotland, to fund its rescue archaeology programme and other activities. The sum of £1.8 million has been allocated in 1996–97 for rescue archaeology. It is for the agency to decide on relative priorities, including whether and to what extent to fund individual projects. The agency's chief executive is writing to the hon. Member to explain Historic Scotland's involvement in the excavation at Bosta, Great Bernera.

Letter from Graeme Munro to Mr. Tam Dalyell, dated 18 April 1996:

I refer to your Parliamentary Question of 16 April to the Secretary of State for Scotland. As you will know from the reply from Lord James Douglas-Hamilton I have been asked to reply on the particular project at Bosta.

The excavation at Bosta, Great Bernera, Outer Hebrides, is a research project being undertaken by the University of Edinburgh's Centre for Field Archaeology with the assistance of a grant from Historic Scotland. Initially the University requested a grant of £23,500 which was provided. Following a site visit by one of our Ancient Monument Inspectors to the important new discoveries made in recent weeks, Historic Scotland has allocated a further £45,000 to ensure that these are properly investigated and recorded. Digging will recommence at the end of April for a four-week period, and there will probably be a third episode of excavation in September. In due course financial support will be provided for the all-important process of analysis and publication of the discoveries.

The archaeological site contains the remains of several houses of late Iron Age date. It is at threat from active marine erosion (hence the dig), but urgent investigations are being made by the Western Isles Islands Council into the feasibility of saving the site, possibly enlisting help from major private sector concerns working locally. There is keen interest in Great Bernera and beyond in attempting to preserve or reconstruct at least part of the excavated remains, preferably on-site. This will be physically difficult, but Historic Scotland will provide technical advice on this aspect. The archaeological excavation work is a necessary precursor to any such preservation effort. An on-site meeting of all concerned will take place in early May, once the next phase of excavation has begun.

Historic Scotland are well aware of the public interest in this site, and our staff are doing everything they can, but it must be borne in mind that this is but one of many dozens of archaeological sites known to be under threat from marine erosion. To put the recent discovery into context it is certainly of national interest in relation to the archaeological evidence we can hope to obtain from the excavations, but the stonework is in poor condition and would be difficult to consolidate. The site would not, on present evidence, be a contender for bringing into State care.

I hope this information is helpful.

Local Government Reform

Mr. Donohoe: To ask the Secretary of State for Scotland how many statutory instruments have been issued as a consequence of the Local Government Reform etc. (Scotland) Act 1994; and if he will list the instruments. [23143]

Mr. Kynoch *[holding answer 28 March 1996]:* A total of 105. These are listed in the table under broad subject headings:

Commencement, Local Government (General), Compulsory Competitive Tendering, Staff and Property

1994 No. 2850: The Local Government etc (Scotland) Act 1994 (Commencement No. 1) Order 1994

1994 No. 2958: The Local Government Staff Commission (Scotland) Order 1994

1994 No. 3150: The Local Government etc (Scotland) Act 1994 (Commencement No. 2) Order 1994

1995 No. 677: The Local Government, Planning and Land Act 1980 (Competition) (Scotland) Regulations 1995

1995 No. 678: The Local Government (Exemption from Competition) (Scotland) Order 1995

1995 No. 702: The Local Government etc (Scotland) Act 1994 (Commencement No. 3) Order 1995

1995 No. 789: The Local Government (Application of Enactments) (Scotland) Order 1995

1995 No. 1340: The Local Authorities (Staff Transfer) (Scotland) Order 1995

1995 No. 1878: The Local Government (Transitional Provisions) (Scotland) Order 1995

1995 No. 1894: The Local Government (Relevant Date) (Scotland) Order 1995

1995 No. 1898: The Local Government etc (Scotland) Act 1994 (Commencement No. 4) Order 1995

1995 No. 2499: The Local Authorities (Property Transfer) (Scotland) Order 1995

1995 No. 2500: The Local Government Property Commission (Scotland) Order 1995

1995 No. 2866: The Local Government etc (Scotland) Act 1994 (Commencement No. 5) Order 1995

1995 No. 3326: The Local Government etc (Scotland) Act 1994 (Commencement No. 6 and Saving) Order 1995

1996 No. 323: The Local Government etc (Scotland) Act 1994 (Commencement No. 7 and Savings) Order 1996

1996 No. 578: The Local Authorities (Property Transfer) (Scotland) Amendment Order 1996

1996 No. 731: Lord-Lieutenants (Scotland) Order 1996

1996 No. 739: The Local Government (Transitional and Consequential Provisions and Revocations) (Scotland) Order 1996

1996 No. 974: The Local Government (Translation Amendments) (Scotland) Order 1996

Local Government Finance

1995 No. 548: The Non-Domestic Rates (Levying) (Scotland) Regulations 1995

1995 No. 572: The Valuation Appeal Committee (Procedure in Appeals Under the Valuation Acts) (Scotland) Regulations 1995

1995 No. 1515: The Local Government (Qualifications of Assessors) (Scotland) Order 1995

1995 No. 2589: The Valuation Joint Boards (Scotland) Order 1995

1995 No. 2766: The Local Government (Application of Enactments) (No. 2) (Scotland) Order 1995

1995 No. 3252: The Water Undertakings (Rateable Values) (Scotland) (No. 2) Order 1995

1996 No. 137: The Valuation Appeal Panels and Committees (Scotland) Regulations 1996

1996 No. 430: The Council Tax (Administration and Enforcement) (Scotland) Amendment Regulations 1996

1996 No. 580: The Rating, Valuation and Council Tax (Miscellaneous Provisions) Order 1996

1996 No. 681: The Accounts Commission (Scotland) Regulations 1996

1996 No. 682: The Local Government (Transitional Financial Provisions) (Scotland) Order 1996

1996 No. 746: The Council Tax (Reduction of Liability) (Scotland) Regulations 1996

1996 No. 747: The Local Authorities (Discretionary Expenditure) (Scotland) Regulations 1996

Roads and Transport

1995 No. 1476: The Roads (Transitional Powers) (Scotland) Order 1995

1995 No. 1971: The Strathclyde Passenger Transport Area (Designation) Order 1995

1995 No. 3026: The Strathclyde Passenger Transport Authority (Constitution, Membership and Transitional and Consequential Provisions) Order 1995

1995 No. 3328: The Roads (Transitional Powers) (Scotland) Amendment Order 1995

1996 No. 496: The Roads (Transitional Powers) (Scotland) Amendment Order 1996

1996 No. 749: The Forth and Tay Bridge Order Confirmation Acts (Modification) Order 1996

Water and Sewerage

1996 No. 141: The Coast Protection (Notices) (Scotland) Amendment Regulations 1996

1996 No. 325: The Water Services Charges (Billing and Collection) (Scotland) Order 1996

1996 No. 326: The Domestic Sewerage Charges (Reduction) (Scotland) Regulations 1996

1996 No. 744: The Water and Sewerage Authorities (Rate of Return) (Scotland) Order 1996

1996 No. 918: The Local Government Finance Act 1992 (Commencement No. 10) Order 1996

Social Work

1995 No. 515: The Qualifications of Chief Social Work Officers (Scotland) Regulations 1996

1996 No. 492: The Local Government (Transfer of Children's Hearings Cases) (Scotland) Order 1996

Police

1995 No. 2638: The Central Scotland Combined Police Area Amalgamation Scheme Order 1995

1995 No. 2639: The Grampian Combined Police Area Amalgamation Scheme Order 1995

1995 No. 2640: The Lothian and Borders Combined Police Area Amalgamation Scheme Order 1995

1995 No. 2641: The Northern Combined Police Area Amalgamation Scheme Order 1995

1995 No. 2641: The Strathclyde Combined Police Area Amalgamation Scheme Order 1995

1995 No. 2643: The Tayside Combined Police Area Amalgamation Scheme Order 1995

1996 No. 780: Police Grant Order (Scotland) 1996

Fire

1995 No. 2632: The North Eastern Combined Fire Services Area Administration Scheme

1995 No. 2633: The Northern Combined Fire Services Administration Scheme Order 1995

1995 No. 2634: The South Eastern Combined Fire Services Area Administration Scheme Order 1995

1995 No. 2635: The Central Combined Fire Services Area Administration Scheme Order 1995

Tourism

1995 No. 1879: The Aberdeen and Grampian Tourist Board Scheme Order 1995

1995 No. 1880: The Angus and City of Dundee Tourist Board Scheme Order 1995

1995 No. 1881: The Argyll, the Isles, Loch Lomond, Stirling and Trossachs Tourist Board Scheme Order 1995

1995 No. 1882: The Ayrshire and Arran Tourist Board Scheme Order 1995

1995 No. 1883: The Dumfries and Galloway Tourist Board Scheme Order 1995

1995 No. 1884: The Edinburgh and Lothians Tourist Board Scheme Order 1995

1995 No. 1885: The Greater Glasgow and Clyde Valley Tourist Board Scheme Order 1995

1995 No. 1886: The Highlands of Scotland Tourist Board Scheme Order 1995

1995 No. 1887: The Kingdom of Fife Tourist Board Scheme Order 1995

1995 No. 1888: The Orkney Tourist Board Scheme Order 1995

1995 No. 1889: The Perthshire Tourist Board Scheme Order 1995

1995 No. 1890: The Scottish Borders Tourist Board Scheme Order 1995

1995 No. 1891: The Shetland Tourist Board Scheme Order 1995

1995 No. 1892: The Western Isles Tourist Board Scheme Order 1995

1995 No. 2211: The Aberdeen and Grampian Tourist Board Scheme Amendment Order 1995

1995 No. 2212: The Angus and City of Dundee Tourist Board Amendment Order 1995

1995 No. 2213: The Argyll, the Isles, Loch Lomond, Stirling and Trossachs Tourist Board Scheme Amendment Order 1995

1995 No. 2232: The Ayrshire and Arran Tourist Board Scheme Amendment Order 1995

1995 No. 2233: The Dumfries and Galloway Tourist Board Scheme Amendment Order 1995

1995 No. 2234: The Edinburgh and Lothians Tourist Board Scheme Amendment Order 1995

1995 No. 2235: The Greater Glasgow and Clyde Valley Tourist Board Scheme Amendment Order 1995

1995 No. 2236: The Highlands of Scotland Tourist Board Scheme Amendment Order 1995

1995 No. 2237: The Kingdom of Fife Tourist Board Scheme Amendment Order 1995

1995 No. 2238: The Orkney Tourist Board Scheme Amendment Order 1995

1995 No. 2239: The Perthshire Tourist Board Scheme Amendment Order 1995

1995 No. 2214: The Scottish Borders Tourist Board Scheme Amendment Order 1995

1995 No. 2240: The Shetland Tourist Board Scheme Amendment Order 1995

1995 No. 2241: The Western Isles Tourist Board Scheme Amendment Order 1995

Education

1994 No. 3149: The Self-Governing Schools (Suspension of Proposals) (Scotland) Order 1994

1996 No. 306: The Educational Endowments (Fife Region) Transfer Scheme Order 1996

1996 No. 307: The Educational Endowments (Highland Region) Transfer Scheme Order 1996

1996 No. 308: The Educational Endowments (Borders Region) Transfer Scheme Order 1996

1996 No. 474: The Educational Endowments (Dumfries and Galloway Region) Transfer Scheme Order 1996

1996 No. 475: The Educational Endowments (Central Region) Transfer Scheme Order 1996

1996 No. 477: The Educational Endowments (Tayside Region) Transfer Scheme Order 1996

1996 No. 478: The Educational Endowments (Grampian Region) Transfer Scheme Order 1996

1996 No. 629: The Educational Endowments (Strathclyde Region) Transfer Scheme Order 1996

1996 No. 630: The Educational Endowments (Lothian Region) Transfer Scheme Order 1996

Planning

1995 No. 3002: The Designation of Structure Plan Areas (Scotland) Order 1995

Courts

1996 No. 1005: The Sheriff Court Districts (Alteration of Boundaries) Order 1996

1996 No. 1006: The Sheriffdoms (Alteration of Boundaries) Order 1996

Electoral Arrangements

1994 No. 3255: The Local Government (Transitional Election Arrangements (Scotland) Order 1994

1996 No. 753: The European Parliamentary Elections (Returning Officers) (Scotland) Order 1996

Superannuation

1995 No. 340: The Local Government (Compensation for Redundancy or Premature Retirement on Reorganisation) (Scotland) Regulations 1995

1995 No. 750: The Local Government (Superannuation and Compensation for Premature Retirement) (Scotland) Amendment Regulations 1995

1995 No. 840: The Local Government (Education Administration) (Compensation for Redundancy or Premature Retirement on Reorganisation) (Scotland) Regulations 1995

1995 No. 2865: The Local Government (Compensation for Reduction of Remuneration on Reorganisation) (Scotland) Regulations 1995

1995 No. 3294: The Local Government (Superannuation and Compensation for Redundancy or Premature Retirement) (Scotland) Amendment Regulations 1995

Mr. Donohoe: To ask the Secretary of State for Scotland how many guidance circulars have been issued by his Department as a consequence of local government reform in Scotland; and if he will list the circulars. [23144]

Mr. Kynoch *[holding answer 28 March 1996]:* I refer the hon. Member to the answer that I gave him on 17 January *Official Report*, column 642. Since then, the following 33 circulars have been issued:

Local Government, Finance, Compulsory Competitive Tendering, Staff, Property, etc.

Scottish Office Development Department Circular 2/96: Civic Government (Scotland) Act 1982 Licensing Arrangements—Local Government Reorganisation

Circular Letter: The Local Authorities (Property Transfer) (Scotland) Amendment Order 1996

Circular Letter: Revised Commentary Note on The Local Authorities (Property Transfer) (Scotland) Order 1996

Circular Letter: Local Government etc. (Scotland) Act 1994 (Commencement No. 7 and Savings) Order 1996

Circular Letter: Local Government etc. (Scotland) Act 1994: The Local Government (Transitional and Consequential Provisions and Revocations) (Scotland) Order 1996 and The Local Government (Translation Amendments) (Scotland) Order 1996

Finance Circular No. 5/1996: The Water Undertakings (Rateable Values) (Scotland) (No. 2) Order 1995

Finance Circular No. 6/1996: The Valuation Appeals Panels and Committees (Scotland) Regulations 1996

Finance Circular No. 7/1996: 1996–1997 Capping Regime: Notional Amounts Report 1996

Finance Circular No. 10/1996: Format for 1995–1996 Accounts of Shadow Councils

Finance Circular No. 11/1996: Supplementary Mismatch Scheme and District Council Tax Equalisation Scheme

Finance Circular No. 14/1996: The Council Tax (Administration and Enforcement) (Scotland) Amendment Regulations 1996

Finance Circular No. 15/1996: Publication of Financial and Other Information by Local Authorities: Code of Practice for Scotland

Finance Circular No. 18/1996: The Council Tax (Reduction of Liability) (Scotland) Regulations 1996: Council Tax: District Equalisation Scheme

Finance Circular No. 19/1996: The Rating, Valuation and Council Tax (Miscellaneous Provisions) Order 1996

Finance Circular No. 20/1996: Local Government (Transitional Financial Provisions) (Scotland) Order 1996

Planning

Circular Letter: Undetermined Planning Applications

Superannuation

SPN/LG Circular No. 1996/1: The Local Government (Superannuation and Compensation for Redundancy or Premature Retirement) (Scotland) Amendment Regulations 1995

Social Work

SWSG 4/96: Child Protection: Local Liaison Machinery—Child Protection Committees

SWSG5/96: Local Authority Complaints Procedures

SWSG7/96: Local Inspection of Residential and Day Care Services

SWSG9/96: The Qualifications of Chief Social Work Officers (Scotland) Regulations 1996

Fire

Circular Letter covering the issue of the booklet "Guidance for Members of New Fire Authorities and Joint Fire Boards"

Circular: Emergency Planning

Sport

Circular No. 5/96: Sport in the New Councils

Criminal Justice

Circular No. HD 3/1996: Local Government etc. (Scotland) Act 1994—District Courts and Justices of the Peace

Circular No. HD 4/1996: Local Government etc. (Scotland) Act 1994: Transitional Arrangements for Licensing Boards

Circular Letter: Ex Officio Justices of the Peace

Circular Letter: The Lord-Lieutenants (Scotland) Order 1996

Circular Letter: Justices of the Peace Advisory Committees

Courts

SCA Circular 1/1996: Sheriffdoms (Alterations of Boundaries) Order 1996 and Sheriff Court Districts (Alteration of Boundaries) Order 1996

Health

Circular Letter to Health Boards (NHS MEL (1996) 36): Appointment of Designated Medical Officers

Education

Student Awards Agency for Scotland Circular 1/1996: The Educational Endowments (Region Concerned) Transfer Scheme Order 1996

Electoral Arrangements

Circular Letter: Parliamentary Returning Officers

Sheriffs

Mrs. Ewing: To ask the Secretary of State for Scotland (1) how many court days were undertaken by *(a)* temporary and *(b)* permanent sheriffs in Scotland for each of the last 20 years; and what proportion each represents of the total number of court days worked; [25472]

(2) how many court days the duties of the sheriff in sheriff courts have been undertaken by temporary sheriffs in each of the last 15 years. [25471]

Mr. Michael Forsyth *[holding answer 16 April 1996]:* Information in the form requested is not available for the years prior to 1989–90. The figures for the years since then are set out in the table:

	Total sitting days	*Number and percentage of days undertaken by permanent sheriffs*	*Number and percentage of days undertaken by temporary sheriffs*
1989–90	22,954	18,753 (81.7 per cent.)	4,201 (18.3 per cent.)
1990–91	23,189	18,842 (81.3 per cent.)	4,237 (18.7 per cent.)
1991–92	24,568	19,105 (77.8 per cent.)	5,463 (22.2 per cent.)
1992–93	25,087	18,847 (75.1 per cent.)	6,240 (24.9 per cent.)
1993–94	25,644	19,111 (74.5 per cent.)	6,533 (25.5 per cent.)
1994–95	25,821	19,053 (73.8 per cent.)	6,768 (26.2 per cent.)

Mrs. Ewing: To ask the Secretary of State for Scotland what criteria govern the selection process for appointments as temporary sheriffs; and if he will make a statement. [25469]

Mr. Forsyth *[holding answer 16 April 1996]:* All applicants for temporary sheriff appointment must have been legally qualified for at least five years. All candidates complete a standard application form and are asked to provide two referees. Comments are sought from the dean of the Faculty of Advocates and from the president and secretary of the Law Society depending on whether the candidate is an advocate or a solicitor. Interviews are carried out by the sheriffs principal, who make recommendations to the Lord Advocate.

Mrs. Ewing: To ask the Secretary of State for Scotland how many *(a)* permanent sheriffs and *(b)* temporary sheriffs there were in each of the last 20 years, how many of each were appointed in each year, and how many left each position; and if he will make a statement. [25467]

Mr. Forsyth *[holding answer 16 April 1996]:* The information requested is available from 1985 only and is given in the table. Between 1985 and 1996 a total of 31 sheriffs left their positions, mainly on retiral. Comparable information for temporary sheriffs is not readily available. The use of temporary sheriffs when permanent sheriffs are unavailable for court work serves to avoid increases in court waiting periods and inconvenience to court users which would result from cancelled sittings. Their use also makes an important contribution to dealing efficiently with temporary increases in court business. The balance between the respective contributions of permanent and temporary sheriffs is kept under regular review.

Year	*Number of temporary sheriffs*	*Number of permanent sheriffs*
1985	61	88
1986	67	92
1987	84	95
1988	100	96
1989	101	96
1990	102	97
1991	110	99
1992	108	99
1993	117	101
1994	124	101
1995	119	104
1996	110	104

Mrs Ewing: To ask the Secretary of State for Scotland what is the present salary of *(a)* permanent sheriffs and *(b)* sheriffs principal; and if he will make a statement. [25468]

Mr. Forsyth *[holding answer 16 April 1996]:* Salaries of permanent sheriffs and sheriffs principal fall within the remit of the Senior Salaries Review Body. Following this year's review rates are £75,978 and £88,266 per annum respectively with effect from 1 April 1996 increasing to £76,716 and £89,123 per annum respectively with effect from 1 December 1996.

Ministerial Visits

Mrs. Ewing: To ask the Secretary of State for Scotland what were the *(a)* travel, *(b)* accommodation and *(c)* policing and security costs of (i) the Prime Minister's and (ii) the Chancellor's most recent visit to Scotland. [25492]

Mr. Michael Forsyth *[holding answer 16 April 1996]:* The cost of travel and accommodation incurred in visiting Scotland are matters for my right hon. and right hon. and learned Friends. The policing of such visits is a matter for the appropriate chief constable; costs are met from the budget of the police authority or joint board and attract police specific grant at 51 per cent.

NORTHERN IRELAND

Fair Employment Tribunals

Mr. Trimble: To ask the Secretary of State for Northern Ireland how many cases have been heard by fair employment tribunals since 1 January 1990. [25230]

Mr. Ancram: During the period 1 January 1990 to 31 March 1996, 207 complaints were determined after full hearings by the fair employment tribunal.

Mr. Trimble: To ask the Secretary of State for Northern Ireland on how many occasions since January 1990 the Court of Appeal has altered an award on the ground that the Fair Employment Tribunal misdirected itself in assessing compensation. [25236]

Mr. Ancram: None.

Mr. Trimble: To ask the Secretary of State for Northern Ireland on how many occasions *(a)* the president and *(b)* the vice-president of the fair employment tribunals have imposed cash penalties on employers who were in breach of tribunal orders; what has been the amount of the penalties imposed; and how many such breaches have been referred to the High Court for enforcement or committal. [25232]

Mr. Ancram: No orders have been issued by the tribunal.

Mr. Trimble: To ask the Secretary of State for Northern Ireland how many appeals to the fair employment tribunals have been dismissed since January 1990. [25235]

Mr. Ancram: There have been no appeals.

Industrial Tribunals

Mr. Trimble: To ask the Secretary of State for Northern Ireland how many cases have been heard by the industrial tribunals in Northern Ireland since 1 January 1990. [24988]

Mr. Ancram: During the period 1 January 1990 to 31 March 1996, 3,029 complaints were determined after full hearings by industrial tribunals.

Bovine Tuberculosis

Mr. Peter Bottomley: To ask the Secretary of State for Northern Ireland what research he has evaluated into the contribution of badgers to bovine TB; and if he will make a statement. [25380]

Mr. Ancram: A study of the distribution and abundance of badgers in Northern Ireland has been carried out under the auspices of Queen's university, Belfast. Antigen development and stain typing research is continuing at the Department of Agriculture's veterinary science division to help establish the significance of the badger in the transmission of TB.

A feasibility study on the development of a vaccine for use in badgers was undertaken in 1994–95 in conjunction with the Republic of Ireland. This concluded that a long-term programme would be required to develop an effective vaccine. A joint submission for EU funding was made by six member states, including the UK. This has so far been unsuccessful.

The Ministry of Agriculture, Fisheries and Food has begun a project independently to develop such a vaccine.

Northern Ireland Federation of Clubs

Mr. Peter Bottomley: To ask the Secretary of State for Northern Ireland if he will meet the Northern Ireland Federation of Clubs to seek agreement *(a)* on protecting legitimate clubs and *(b)* on controlling illegal activity in other clubs. [25379]

Mr. Moss: The proposals for a draft Registration of Clubs Order (Northern Ireland) 1996 which I published on 30 January contained, among other things, new provisions to deal effectively with illegal activity in clubs. These provisions were introduced at the express request of the police who, I understand, have written to the Federation of Clubs setting out the reasons why they regard their introduction as essential. I am satisfied that the draft order strikes the right balance between protecting clubs that commit minor or irregular offences and providing the courts with the powers to deal adequately and effectively with clubs that commit serious and persistent breaches of the law. In the circumstances, therefore, I see nothing to be gained from a meeting with the federation to discuss these issues.

TREASURY

Taxation

14. **Mr. Barnes:** To ask the Chancellor of the Exchequer what is his latest estimate of the average annual amounts of indirect taxation per citizen; what was the figure for 1979; and if he will make a statement. [24334]

Mr. Heathcoat-Amory: The average amount of indirect tax paid per United Kingdom citizen is estimated to be £1,300 in 1995 and to have been £750 in 1979, at 1995 prices.

Economic Growth

15. **Mr. John Townend:** To ask the Chancellor of the Exchequer what is his current estimate for growth in the UK for the current year; and what are the equivalent rates in other EU countries. [24335]

Mr. Waldegrave: The Government's last forecast was set out in the November "Financial Statement and Budget Report", which showed the UK economy growing by 3 per cent. and Europe growing by 2½ per cent. in 1996.

Government Deficit

16. **Mr. Soley:** To ask the Chancellor of the Exchequer what ratio of Government deficit to gross domestic product he assesses to be necessary to ensure budgetary discipline. [24336]

Mr. Waldegrave: The Government's fiscal objective is to bring the public sector borrowing requirement back towards balance over the medium term and, in particular, to ensure that, when the economy is on trend, the public sector borrows no more than is required to finance its net capital spending.

The PSBR has fallen sharply in the past couple of years. As it returns towards balance, the ratio of net public sector debt to gross domestic product will stabilise and then begin to fall.

Personal Allowances

17. **Mr. Gallie:** To ask the Chancellor of the Exchequer what is his policy for personal allowances. [24337]

Mr. Jack: The Government's overall objectives for the tax system are set out at paragraph 5.02 of the "Financial Statement and Budget Report 1996–97". Our policy is to maintain a broad tax base and reduce marginal tax rates. Personal allowances are an integral part of achieving those objectives and are considered each year in the run-up to the Budget.

Value Added Tax

18. **Mr. David Atkinson:** To ask the Chancellor of the Exchequer if he will act to simplify value added tax and other taxes administered by HM Customs and Excise. [24338]

Mr. Heathcoat-Amory: I refer my hon. Friend to the answer I gave to my hon. Friend the Member for Beaconsfield (Mr. Smith), on 1 March 1996, *Official Report*, columns *777–78*.

Inflation

19. **Mr. Nigel Evans:** To ask the Chancellor of the Exchequer if he will make a statement on his target for the level of inflation in April 1997. [24339]

Mrs. Angela Knight: The aim of this Government is to achieve underlying inflation, as measured by the retail prices index excluding mortgage interest payments, of 2½ per cent. or less by the end of the present Parliament. Beyond this Parliament, the Government's aim is to continue to achieve underlying inflation at or below 2½ per cent.

Investment

20. **Mr. Sutcliffe:** To ask the Chancellor of the Exchequer what plans he has to promote an increase in the level of investment. [24340]

Mrs. Angela Knight: Industry is expanding capacity as needed. In 1995, manufacturing investment was over 7½ per cent. up on a year earlier, and almost 15 per cent. higher than in 1993. Most independent forecasters expect whole economy investment to rise significantly faster in 1996 than in 1995.

Public Sector Borrowing Requirement

22. **Mr. Jenkin:** To ask the Chancellor of the Exchequer what is his latest estimate for the public sector borrowing requirement in the current year; and if he will make a statement. [24342]

Mr. Wilkinson: To ask the Chancellor of the Exchequer what is his latest estimate of the public sector borrowing requirement in the current financial year. [24331]

Mr. Waldegrave: I refer my hon. Friends to the reply I gave earlier today to the hon. Member for Rotherham (Mr. MacShane).

Debtor Countries

Mr. Foulkes: To ask the Chancellor of the Exchequer what further action he has taken at meetings of the International Monetary Fund to press for debt cancellation in the poorest countries. [24341]

Mrs. Angela Knight: The Chancellor will be attending the spring meetings of the International Monetary Fund and the World bank on 22 and 23 April. The United Kingdom has ensured that the multilateral debt problems of the poorest, most heavily indebted will be high on the agenda. At the institutions' annual meetings in October 1995, the Chancellor, supported by other finance Ministers, called on the IMF and the World bank to assess the scope of the multilateral debt problem and to propose a solution. That work will be discussed at the spring meetings. The UK will continue to press for practical solutions to the multilateral debt problems which will be able to deliver an early exit for eligible countries from their unsustainable debt burdens.

Labour Statistics

Mr. Cunningham: To ask the Chancellor of the Exchequer how many people were classified as economically inactive in each year since 1979; and what was the percentage change in each year over the previous year. [25000]

Mrs. Angela Knight: Information for Great Britain available from the labour force survey is shown in the table.

Seasonally adjusted

Spring (March to May)	*Economically inactive[1] (aged 16 and above)*	*Annual percentage change*
1979	15,310	
1981	15,654	+1.5
1983	16,399	+2.2
1984	16,130	–1.6
Internationally standard definition		
1984	15,951	+0.2
1985	15,990	+0.7
1986	16,100	–0.3
1987	16,053	–1.3
1988	15,852	–1.4
1989	15,623	0.0
1990	15,616	+1.4
1991	15,835	+2.1
1992	16,165	+1.2
1993	16,358	+0.4
1994	16,424	+0.7
1995	16,543	

[1] The definition of economic inactivity was brought into line with internationally standard definitions in 1984. Therefore, data above the line are not comparable with data below it.

Oral Cancer and Glaucoma

Mr. Simon Hughes: To ask the Chancellor of the Exchequer how many new cases of *(a)* oral cancer and *(b)* glaucoma were detected in each family health service authority area in each of the last 20 years. [25257]

Mrs. Angela Knight: Statistics are not collected centrally on glaucoma. The information requested on oral cancer for each of the last 20 years could be provided only at disproportionate cost. However, provisional numbers of oral cancers diagnosed in 1990 for each regional health authority in England and Wales are given in the table.

Regional health authority as of 1990

	Number
Northern	193
Yorkshire	227
Trent	225
East Anglia	116
North West Thames	168
North East Thames	150
South East Thames	195
South West Thames	137
Wessex	166
Oxford	116
South Western	140
West Midlands	261
Mersey	187
North Western	283
Wales	168
Total	2,732

Figures for earlier years are contained in the Office of Population Censuses and Surveys annual reference volumes "Cancer statistics, registrations", series MBI numbers 1, 2, 4, 5, 7, 8, 10–16 and 18–22, copies of which are available in the Members' Library.

Value Added Tax

Mr. Llwyd: To ask the Chancellor of the Exchequer how many representations he has received in the past nine months on the variation of rates of value added tax; and if he will make a statement. [24325]

Mr. Heathcoat-Amory: Representations have been received from many individuals and organisations proposing different variations to VAT rates.

Mortgage Repayments

Mr. Evennett: To ask the Chancellor of the Exchequer what was the figure for the average monthly mortgage repayment at the end of 1990; and what it is currently. [24328]

Mrs. Angela Knight: In October 1990, mortgage interest payments on an average mortgage were around £320 a month. They are now about half that level, at around £160 a month.

AGRICULTURE, FISHERIES AND FOOD

Fisheries Conservation

Mr. Dalyell: To ask the Minister of Agriculture, Fisheries and Food, further to the letter from the Minister of State to all hon. Members on 2 April concerning, inter alia, fisheries conservation and science, what discussions will take place on the second report of the House of the Lords

Science and Technology Committee on fish stock conservation and management—HL25, Session 1995–96—during the regular contacts to which he refers between MAFF scientists and the industry. [25497]

Mr. Baldry: The recommendations of the House of Lords Committee on Science and Technology concerning technical conservation measures have already been discussed in meetings between fishermen, scientists and other Government experts. Other aspects of the Committee's report can readily be raised by either party in future contacts between Ministry scientists and the industry.

Pesticides Safety Directorate

Mr. Coe: To ask the Minister of Agriculture, Fisheries and Food what targets have been set for the Pesticides Safety Directorate in 1996–97. [25929]

Mr. Douglas Hogg: I have set the Pesticides Safety Directorate the following targets relating to financial performance, efficiency, the delivery of pesticides approval services and policy advice in 1996–97.

To achieve 100 per cent. recovery of costs.

To comply with budgetary controls resulting from the public expenditure survey and the supply estimates.

To achieve an overall efficiency gain of 3 per cent.

To meet the targets for delivery of services as follows:

Application stream	*Applications completed*	*Maximum processing time (working weeks)*
Technical secretariat[1]		
Normal	255	43
Administrative fast	400	4
Fast	325	21
Experimental permit	30	36
Off label	200	12
Other	205	—
New substances[1]		
Sift (EC and UK)	13	24
Active substance	—	—
UK: National rules	8	54
EC: UK rapporteur	1	54
UK reviews		
Full	3	—
Other	4	—
EC reviews		
UK rapporteur	7	—
Non-rapporteur (monograph co-ordination)	15	—
Total	1,466	—

[1] The processing time targets apply to 85 per cent. of applications received except the EC and UK sifts for new substances, where the figure is 100 per cent.

1. The quality of the directorate's scientific and policy work will be subject to separate quality audits.

2. Details of performance in 1995–96 will be set out in the agency's annual report and accounts to be published during July 1996.

Beef Industry

Mr. Coe: To ask the Minister of Agriculture, Fisheries and Food what financial support will be provided to the United Kingdom beef producers and slaughtering sector. [25930]

Mr. Douglas Hogg: I refer my hon. Friend to the statement I made on 16 April 1996, *Official Report*, columns 513–16.

In addition to the support measures previously announced, particularly for the rendering industry and for the slaughter of young bull calves, the measures set out below have now been implemented. Parliamentary approval for additional provision and for the funding of new services will be sought in supplementary estimates for class III vote 1, intervention board—executive agency: common agricultural policy market support and administration, and class III vote 2, Ministry of Agriculture, Fisheries and Food: operational expenditure, agencies and departmental administration. Pending that approval, urgent expenditure estimated at £190 million will be met by repayable advances from the Contingencies Fund.

1. Supplementary compensation payments on steers and heifers—older beef cattle whose market value is greater than cull cows.

Cost: £80 million on class III vote 1. An advance from the Contingencies Fund of the full amount is required.

2. Emergency aid to the slaughtering industry, comprising two elements:

(i) immediate payment to slaughterhouses calculated on the basis of bovines slaughtered during 1995–96. Cost: £30 million on class III vote 2.

(ii) purchase of unsaleable stocks of beef held by licensed slaughterhouses and cutting premises. Cost: £80 million on class III vote 1.

An advance from the Contingencies Fund of the full amount—£110 million—is required.

3. Scheme to purchase beasts over 30 months old and to dispose of their carcases safely to prevent beef from these cattle from entering the human food chain.

Cost: £550 million on class III vote 1, 70 per cent. of compensation payments to be funded by the EU.

Deregulation

Mr. Llew Smith: To ask the Minister of Agriculture, Fisheries and Food what plans he has to introduce further deregulation regarding food hygiene and public health regulations. [24925]

Mr. Boswell: Hygiene legislation is very largely harmonised at the level of the European Community, and is under review by the European Commission. In anticipation of EC proposals, the Government have consulted widely about possible simplification and rationalisation of food hygiene legislation. This revealed widespread support for consolidation of the large number of directives involved, providing necessary public health protection is not diluted. EC proposals are expected shortly.

Lindane

Mr. Allen: To ask the Minister of Agriculture, Fisheries and Food (1) if his Department has yet located the container of lindane that was washed overboard in the English channel in 1991; [25453]

(2) what estimates he has made of when the container of lindane lost overboard in the English channel in 1991 will corrode and release lindane into the sea; and what assessment he has made of the consequences of that release upon fish and marine life. [25454]

Mr. Baldry: We are not aware of the loss of a container of lindane in 1991, but a quantity of this insecticide was lost when the vessel MV Perintis sank in the channel on 13 March 1989. Despite considerable efforts by the UK and French authorities, location and retrieval of the cargo container in which the lindane was being transported was not possible. The container was believed to be undamaged when it sank which, together with the type of packaging used, indicates that any seepage into the sea would be at a very slow rate. This would rapidly dilute and disperse and not give rise to any food safety or environmental concerns. Water samples are taken from the area each year and these continue to show that concentrations of lindane have remained at background levels.

Written Answers to Questions

Friday 19 April 1996

EDUCATION AND EMPLOYMENT

Ministerial Visit (Coventry)

Mr. Jim Cunningham: To ask the Secretary of State for Education and Employment on how many occasions since 1992 the Secretary of State with responsibility for employment matters has visited Coventry on official business. [25168]

Mr. Robin Squire: Twice.

Dyslexia

Mrs. Dunwoody: To ask the Secretary of State for Education and Employment (1) what plans she has to increase funding for promoting awareness of dyslexia in education; and if she will make a statement; [25770]

(2) what plans she has to increase awareness of dyslexia among education professionals. [25773]

Mr. Robin Squire: The Department's code of practice on the identification and assessment of special educational needs, which came into force on 1 September 1994, offers statutory guidance to schools and local education authorities on their responsibilities towards all pupils with special educational needs. It includes a section on specific learning difficulties, such as dyslexia. The Department has recently funded, or is continuing to fund, four dyslexia research projects at a total cost of some £440,000.

Mrs. Dunwoody: To ask the Secretary of State for Education and Employment what measures she is taking to ensure that students at teacher training colleges are made aware of the problems of dyslexia. [25774]

Mr. Squire: The Secretary of State's criteria for initial teacher training—ITT—require new teachers to be able to identify and respond appropriately to relevant individual differences between pupils. The Teacher Training Agency accredits ITT course providers to ensure that they meet the criteria. The Office for Standards in Education inspects ITT courses, and the results of the inspections are published.

Local Education Authorities

Mr. Blunkett: To ask the Secretary of State for Education and Employment if she will list, for each education authority in England, the number of *(a)* secondary, *(b)* primary and *(c)* special schools with a deficit in their balances, and the total deficit per authority, for each year since 1990. [25742]

Mr. Robin Squire: This information could be provided only at disproportionate cost.

Teachers' Pensions

Mr. Byers: To ask the Secretary of State for Education and Employment which company has been awarded the contract to operate the schoolteachers' pension scheme; and what is the value of the contract. [25881]

Mr. Robin Squire: I announced on 1 April that my right hon. Friend the Secretary of State had decided to let a contract to Capita Managed Services Ltd. The value of the contract is £72.2 million over seven years. That is in cash terms, but subject to adjustment if inflation as measured by the gross domestic product deflator exceeds 3 per cent. in any year.

Student Loans Scheme

Mr. Byers: To ask the Secretary of State for Education and Employment what discussions her Department has held with the Capita Group about taking part in the privatisation of the student loans scheme. [25885]

Mr. Forth: My officials have held discussions with a number of companies about our plans for the provision of private sector student loans. The names of those involved are "commercial in confidence" at this stage. An announcement of those companies making successful tenders for involvement in the private loans scheme will be made in due course.

Unemployed Women (Child Care Costs)

Mr. Byers: To ask the Secretary of State for Education and Employment what advice she has evaluated on the legal consequences of refusing to pay child care costs to unemployed women under the pilot project work scheme. [25880]

Mr. Forth: I have considered advice from officials on legal and policy aspects of the matter.

Mr. Byers: To ask the Secretary of State for Education and Employment what plans her Department has to pay the child care costs of unemployed women who are unable to attend the new pilot project work scheme because of lack of help with child care. [25882]

Mr. Forth: I have no such plans. The evaluation of the pilots will cover this and all other aspects of the pilot process.

Devon and Cornwall Training and Enterprise Council

Mr. Jamieson: To ask the Secretary of State for Education and Employment if he will place in the Library a copy of the minutes of the business and education board of the Devon and Cornwall TEC meetings from 1 January 1990. [25608]

Mr. Paice: No. Training and enterprise councils are private companies. This is a matter for Devon and Cornwall training and enterprise council.

Mr. Jamieson: To ask the Secretary of State for Education and Employment (1) if she will list the members of the business and education board of the Devon and Cornwall training and enterprise council since its foundation; [25302]

(2) what inquiries are undertaken into the background of directors before the granting of financial assistance to companies by the business and education board of regional training and enterprise councils; and if he will make a statement; [25303]

(3) if she will list those members of the business and education board of the Devon and Cornwall training and enterprise council who were involved in *(a)* advising on and *(b)* awarding financial assistance to Rom Data Corporation Ltd., Falmouth; [25304]

(4) if she will list the companies that have received financial assistance from the business and education board of the Devon and Cornwall training and enterprise council since its foundation by *(a)* year, *(b)* scheme and *(c)* the number of these companies still trading. [25305]

Mr. Paice *[holding answer 18 April 1996]:* I refer the hon. Member to the answer I gave to him on 16 April, *Official Report*, column *396*. These are matters for training and enterprise councils, as private companies, and for Devon and Cornwall training and enterprise council in particular.

Nursery Education

Mr. Duncan Smith: To ask the Secretary of State for Education and Employment what arrangements have been made to allow the Office for Standards in Education to undertake preparatory work on establishing an inspection system for funded nursery education, prior to the Nursery Education and Grant-maintained Schools Bill receiving Royal Assent. [26294]

Mr. Robin Squire: I refer my hon. Friend to the answer which I gave on 7 March 1996, *Official Report*, column *348*. During the first few months of 1996–97, Ofsted will need to set up a contracting system for nursery education inspections, and to recruit, train and register the inspectors needed for inspections to begin in the autumn term.

Parliamentary approval to this new service is subject to the passage of the Bill to Royal Assent. Pending that approval, urgent essential expenditure in 1996–97 estimated at £1 million will be met by advances from the Contingencies Fund, to be repaid from the 1996–97 Ofsted vote—class IX, vote 4.

Assisted Places Scheme

Mr. Charles Wardle: To ask the Secretary of State for Education and Employment if she will make a statement about the level of parental contribution to the fees of pupils on the assisted places scheme for the next academic year. [26295]

Mrs. Gillan: Remission of tuition fees under the assisted places scheme is dependent on the level of fees at participating schools and the amount parents can afford to contribute. Subject to parliamentary approval of regulations to be laid in due course, the parental contribution scales will be adjusted for the school year 1996–97 to allow for inflation so that the cost to parents remains broadly the same in real terms. Where the relevant income for the appropriate financial year does not exceed £9,873, the tuition fees will be wholly remitted so that the pupil receives a free place. The new scales are set out in the table.

Percentage

Part of relevant income to which percentage applies	*One assisted pupil*	*Each of two assisted pupils*	*Each of three assisted pupils*
That part which exceeds £9,707 but does not exceed £10,555	9	6.75	5.25
That part (if any) which exceeds £10,555 but does not exceed £11,417	12	9	7
That part (if any) which exceeds £11,417 but does not exceed £13,127	15	11.25	8.75
That part (if any) which exceeds £13,127 but does not exceed £15,760	21	15.75	12.25
That part (if any) which exceeds £15,760 but does not exceed £19,194	24	18	14
That part (if any) which exceeds £19,194	33	24.75	19.25

NORTHERN IRELAND

Social Security Agency

Sir John Cope: To ask the Secretary of State for Northern Ireland if he will make a statement on the review of the Social Security Agency. [26415]

Sir Patrick Mayhew: On 19 October 1994, I announced the review of the Social Security Agency—SSA—in the House of Commons. Each next steps agency undergoes a periodic review to evaluate performance, to reconsider in a prior options study whether agency status is the best way of doing the job and to revise the framework within which it operates.

I am pleased to announce that the evaluation report of the agency's performance since it was established in July 1991 has been published today. The overall conclusion of the evaluation is that, in keeping with the principles of next steps, the quality of service to the public has improved and social benefits have been delivered in a more efficient and effective way.

The main conclusions of the prior options report are that the SSA should remain a next steps agency within the Department of Health and Social Services. There is no scope for abolition or privatisation, nor is there any evidence to suggest that wholesale contractorisation of its functions is at present feasible or likely to improve value for money for the taxpayer.

The conclusion on wholesale contractorisation does not mean that there are no opportunities for increasing competition within the organisation. The agency is already involved with the private sector in a number of areas, such as encashment services, management training, information technology and ancillary services. In particular, it is involved as co-sponsor with the Benefits Agency and Post Office Counters Ltd. in a private finance initiative to replace existing methods of payment at post offices with a benefit card. The agency also has a market-testing strategy, which will result in its support functions being subject to the market-testing process in line with recommendations of a consultancy report.

The review goes on to recommend a number of further steps which the agency should take to improve its efficiency and effectiveness, consistent with the Government reform initiative and the Northern Ireland civil service programme for continual improvement. These include the development of a comprehensive strategy for achieving efficiency improvements through involving the private sector in all aspects of its business, including benefit administration; the continued implementation of its market-testing strategy, pending more comprehensive strategy for involving the private sector; and the examination of the scope for developing internal competition, including benchmarking and purchaser/provider relationships.

In conclusion, the review has highlighted the significant improvements in customer service and efficiency which the agency has achieved since its establishment in 1991. The chief executive and his staff are to be commended for these achievements. The recommendations of the review are designed to build on these successes. I am placing a copy of the evaluation report and a copy of the executive summary of the prior options report in the Library today. Work is continuing on a revised framework document, and I shall arrange for a copy to be placed in the Library in due course.

ENVIRONMENT

Local Government (Negligence Claims)

Mr. Morgan: To ask the Secretary of State for the Environment what consultations he has had with the local authority associations and the Association of British Insurers concerning the adequacy of insurance cover against local authority negligence claims in connection with the publication of independent reports commissioned by local authorities. [25888]

Sir Paul Beresford: None.

HOME DEPARTMENT

Employment Rights (Immigration Applicants)

Mr. Cox: To ask the Secretary of State for the Home Department if people who are given exceptional leave to remain in the United Kingdom are also given permission to seek employment. [25571]

Mr. Kirkhope: Yes.

Consultancy Contract (Probation Qualification)

Mr. Byers: To ask the Secretary of State for the Home Department, pursuant to his answer of 16 April, *Official Report*, column *365*, if he will list the other organisations that were invited to tender for the contract to advise on the competences required for probation officers on appointment; who was responsible for awarding the contract to KPMG; which civil servants were involved in the evaluation of the tenders; and if the contract was awarded to the lowest cost tender. [25908]

Mr. Sackville: The following firms were invited to tender for the probation officers' competences contract: Gaby Braun; Christie Associates; Shirley Fletcher Associates; KPMG; Prime Research; and Glenda Taylor Associates.

Staff for the probation training unit in the then C6 division of the Home Office evaluated the tenders received. The head of the unit, with the agreement of the head of the division, authorised the award of the contract of KPMG, which submitted the lowest cost tender.

Law of Murder (Review)

Sir Ivan Lawrence: To ask the Secretary of State for the Home Department what conclusions he has reached following the review of the law of murder; and if he will make a statement. [26479]

Mr. Maclean: The review has been completed and a copy of the report from the interdepartmental steering group has been placed in the Library. The steering group comprised officials from the Home Office, the Scottish Office, the Northern Ireland Office, the Ministry of Defence, the legal secretariat to the Law Officers and the Crown Office.

The review's task was to consider whether there should be an intermediate verdict, between murder and aquittal, where a defendant had killed in self-defence or to prevent a crime. It was also asked to consider whether any such intermediate verdict, or any other change to the law, should apply only to members of the police and armed forces.

The review came down firmly against any separate provision for the police and armed forces. It would be objectionable in principle and very difficult to achieve in practice in any defensible and coherent way. The review did not consider it desirable or practicable for guidance on the use of lethal force—the yellow card—to be given legislative status. These views were supported by those members of the police and armed forces whom the review consulted. The Government agree with these conclusions of the review.

The review identified three broad options for a change in the law, but concluded that only one, a verdict of manslaughter where a defendant had overreacted and used unreasonable force, might provide a way forward. That is the option which previous studies have proposed, except that the review considered a refinement that a murder verdict could remain available for a grossly unreasonable overreaction. The review recognised that this option would not necessarily ensure better justice and did not itself come to a firm conclusion.

We have considered carefully the arguments for and against the options identified by the review, but have concluded that the case has not been made that they would improve either the certainty or quality of the criminal law. The police representative associations that the review consulted did not suggest a change in the law in this area. If the option identified by the review as providing a possible way forward were adopted, the difference between a manslaughter and murder verdict would depend on an assessment of whether the defendant honestly believed that the level of force which he used was justified. Where the court or jury were satisfied that the defendant honestly believed that the force he or she used

was justified, the defendant could be convicted only of manslaughter, no matter how unreasonable the force. We do not believe that this would be satisfactory. Equally, however, adopting the refinement considered by the review, and retaining a verdict of murder for those who had used grossly unreasonable force, would risk overcomplicating the law and requiring juries to draw unrealistically narrow distinctions.

For these reasons, we are not persuaded that an adequate case has been made to change the law.

DEFENCE

Land Mines

Mr. Cohen: To ask the Secretary of State for Defence what research his Department has *(a)* commissioned and *(b)* evaluated in the last five years into (i) the military utility and (ii) the effects of land mines; what proposals he has for future research on this subject; and if he will make a statement. [12760]

Mr. Arbuthnot: My Department has commissioned a number of studies into the military utility and effects of both anti-tank and anti-personnel land mines. Future such studies will be carried out as appropriate. Recent operational analysis has not identified any weapon system which could act as an effective alternative to anti-tank or anti-personnel land mines.

Mr. Cohen: To ask the Secretary of State for Defence when he expects to answer the question of 29 January from the hon. Member for Leyton relating to land mines. [26268]

Mr. Arbuthnot: Today.

Nuclear Reporting Centres

Mrs. Ewing: To ask the Secretary of State for Defence what nuclear reporting centres have been *(a)* established and *(b)* operated in Scotland since 1970; what the purpose of each such centre is or was; and which nuclear reporting centres are currently in operation. [25544]

Mr. Soames *[holding answer 18 April 1996]:* The term nuclear reporting centre is not recognised by the Ministry of Defence and I am not aware of any facility which might fit this description.

Non-British Recruits

Mr. Churchill: To ask the Secretary of State for Defence how many individuals of foreign nationality have been accepted into *(a)* the Army, *(b)* the Royal Navy and *(c)* Royal Air Force in each of the past five years other than citizens of the Kingdom of Nepal; and what steps he is taking to establish the British status of applicants before admitting them to the armed forces. [25826]

Mr. Soames: The numbers of individuals of foreign nationality who have been accepted into the Army and the RAF are shown in the table. Figures for the Army are available only for the past three years. This information is not recorded centrally by the Royal Navy and could be provided only at disproportionate cost.

Intake into Regular Army: Officers and Soldiers

Nationality	*1993–94*	*1994–95*	[1]*1995–96*
Irish	48	40	44
Commonwealth	48	41	56
Other	3	1	6

[1] To end February.

Intake into Royal Air Force

Nationality	*1990*	*1991*	*1992*	*1993*	*1994*	*1995*
Commonwealth	10	6	4	3	2	10
Dual nationality (UK and other)	4	6	1	2	3	2
Other	5	2	1	1	1	0

The procedures for establishing the nationality of applicants varies for each service. In essence, however, an applicant and his/her parents must at all times since birth have been a Commonwealth citizen—British, British dependent territories, British subject under the British Nationality Act 1981, or citizen of a country which is, or then was, an independent Commonwealth country—or a citizen of the Republic of Ireland. A waiver of these requirements may be granted in exceptional circumstances. Additionally, applicants must have resided in the UK for more than five years. An applicant's birth certificate and passport are checked at the application stage and nationality is recorded on the application form. Nationality is recorded again on the security questionnaire when appropriate. Any applicant holding dual nationality is required to surrender his/her alien nationality.

Married Quarters Estate

Dr. Twinn: To ask the Secretary of State for Defence what has been the response to the invitation of indicative bids for the married quarters estate. [26293]

Mr. Arbuthnot: We have had a substantial and encouraging response from a large number of bidders. We are now evaluating those bids with a view to selecting a smaller number of bidders who will be invited to proceed to the next round of the sale process. It remains our aim, subject to achieving satisfactory price and terms, to complete the transfer of the estate to the private sector on the basis of final offers to be submitted this summer.

TRADE AND INDUSTRY

British Steel

Mr. MacShane: To ask the President of the Board of Trade what was the total value of regional development grants paid to the British Steel Corporation in each year between 1979 and 1988. [25822]

Mr. Page: Information relating to regional development grants over £25,000 paid to BSC was published quarterly in "British Business", copies of which are held in the British library.

Steel Exporters

Mr. MacShane: To ask the President of the Board of Trade what is his estimate of the value to United Kingdom steel exporters since autumn 1992 of the devaluation of the pound; and if he will make a statement. [25823]

Mr. Page: It is not possible to isolate the effects of currency movements from other influences on the price and quantity of United Kingdom steel exports since the autumn of 1992. The quantity and value of the United Kingdom's annual steel exports since 1992 are given in the table.

United Kingdom exports of all steel products 1992 to 1995

Year	*Value £ million*	*Tonnes (000s)*
1992	2,874.6	8,346.6
1993	2,955.1	8,203.5
1994	3,419.8	8,825.5
1995	4,141.4	8,807.3

Note:
All steel products are defined as European Coal and Steel Community products, other UK steel industry products—tubes, cold rolled strip, electrical strip, coated strip, cold finished bars, forged semis, bars and sections—wire and other steel products.
Source: UK Steel Exports 6/1 column 30, ISSB Ltd.

Mr. MacShane: To ask the President of the Board of Trade what discussions he has had since autumn 1992 regarding the value of the pound and exports with *(a)* British Steel plc and *(b)* the British Iron and Steel Producers Association; and if he will make a statement. [25824]

Mr. Page: Since 1992, DTI Ministers have had numerous meetings with both British Steel and the British Iron and Steel Producers Association—BISPA. Issues discussed have included international trade and competitiveness. Most recently, my right hon. Friend the Minister for Industry and Energy met BISPA officials and industry representatives, including British Steel, in December 1995. In addition, my officials have very frequent contact with both British Steel and BISPA.

Vehicle Batteries

Mr. Sheerman: To ask the President of the Board of Trade how many vehicle batteries are imported into the United Kingdom each year. [25740]

Mr. Page: The information is published by the Office of National Statistics in business monitors MM20 and MQ20, copies of which are available in the Library of the House. Vehicle batteries are found in section 778.12 of the standard international trade classification.

Mr. Sheerman: To ask the President of the Board of Trade how many car and other vehicle batteries are manufactured in the United Kingdom each year. [25752]

Mr. Page: In 1994, 2.7 million car and vehicle batteries[1] were manufactured in the UK.

Source:
ONS UK Markets, annual report number 64.
Note:
[1] Car and vehicle batteries are defined as lead-acid accumulators for starting piston engines, of a weight exceeding 5 kg.

Financial Assistance

Mr. Jamieson: To ask the President of the Board of Trade if he will list what financial assistance has been given since 1980 by his Department to *(a)* Moderntask Ltd., Redruth, *(b)* Digitize Ltd., Truro, *(c)* Thimbles Ltd., Redruth, *(d)* South West Leisure Products Ltd., Redruth, *(e)* Van Pieters plc, Pewsey, *(f)* Pan Atlantic (UK) plc, Birmingham, *(g)* CSL Group by (i) type of grant and (ii) date. [15775]

Mr. Oppenheim *[pursuant to his reply, 29 February 1996, c. 676]:* I regret that the figure for regional development grant made to Moderntask Ltd. should have stated £78,288, not £78,228. Additionally, my answer should have referred to consultancy assistance of £2,399 given to the same company in 1991.

NATIONAL HERITAGE

Archaeological Heritage Convention

Mr. Tony Banks: To ask the Secretary of State for National Heritage when Her Majesty's Government plan to ratify the European convention on the protection of the archaeological heritage; and if she will make a statement. [25626]

Mr. Sproat: The United Kingdom supports the principle of a convention to provide a standard for the protection of archaeological sites throughout Europe, and the UK ratified the first European convention on the protection of the archaeological heritage on 20 April 1971. A revised convention was signed in 1992 and its ratification is currently under consideration.

TREASURY

West Sutherland Fisheries Trust

Mr. Wilson: To ask the Chancellor of the Exchequer if he will state the charitable purpose served by the West Sutherland Fisheries Trust. [25451]

Mr. Heathcoat-Amory: As with any Scottish charity, the hon. Gentleman can obtain information about the West Sutherland Fisheries Trust by applying to it directly for its explanatory document. This describes the nature of the body and its charitable purposes.

National Lottery

Mr. Bayley: To ask the Chancellor of the Exchequer how much revenue the Treasury *(a)* received up to the end of the 1995–96 tax year and *(b)* has estimated it will receive in 1996–97 from (i) duty on sales of national lottery tickets and (ii) other taxes paid in respect of lottery activities; and if he will make a statement about the use to which these additional tax revenues have been applied. [25868]

Mr. Heathcoat-Amory: In the financial year 1995–96, the total amount of lottery duty received by HM Customs and Excise was £612 million. The projection of lottery ticket sales in the Budget forecast implies receipts of lottery duty of £660 million in 1996–97.

Figures for other tax receipts in respect of lottery activities are not available. Total tax receipts do not include the net inflows to the national lottery distribution fund, which are scored as non-tax receipts in the Government accounts.

Lottery spending will displace other consumer spending, which would have been taxable. The rate of lottery duty was set so as to be broadly neutral with respect to tax receipts.

Gross Domestic Fixed Capital

Mrs. Beckett: To ask the Chancellor of the Exchequer if he will make a statement on the different methods of analysis of gross domestic fixed capital formation used by *(a)* the Treasury and *(b)* the Central Statistical Office in the national accounts. [25551]

Mr. Waldegrave: The breakdown of the whole economy gross domestic fixed capital formation used by the Treasury in the "Financial Statement and Budget Report"—FSBR—and the "Summer Economic Forecast" documents seeks to remove discontinuities arising from privatisation and other asset sales or sectoral transfers. The Government intend that year-on-year comparisons based on the FSBR should compare like with like, and so be more meaningful. Table 3.2 of the 1996–97 FSBR shows the Treasury breakdown into business investment, investment in private dwellings and land, and general Government investment. Business investment includes public corporations' investment, except national health trust hospitals, and so is unaffected by privatisations, while general Government investment is defined to exclude net purchases of land and existing buildings so as to remove the effect of asset sales, including sales of council houses. National health trust hospitals are grouped with general Government investment. In contrast, standard national accounts breakdowns of whole economy investment by industry or sector are affected by such transfer of ownership.

Special Dividend Payments

Mr. Pearson: To ask the Chancellor of the Exchequer upon what grounds his Department has given clearance under section 703 of the Income and Corporation Taxes Act 1988 for the use of special dividend payments in takeover bids. [24185]

Mr. Jack *[holding answer 16 April 1996]:* Clearance from the anti-avoidance provisions at section 703(a) of the Income and Corporation Taxes Act 1988 in respect of a specified transaction is considered by the Inland Revenue in response to a formal application. Clearance is given only if it is satisfied that the transaction will not give rise to a tax advantage as defined in the Act or that any such tax advantage is an accidental by-product of transactions which have a genuine commercial purpose and that the way in which they have been carried out is not motivated by the wish to obtain a tax advantage.

All applications for clearance, including cases of special dividends in takeover bids, are subject to detailed scrutiny by the Inland Revenue, who decision will be based on the facts and circumstances of the individual case.

SCOTLAND

Fisheries Protection Orders

Mr. Canavan: To ask the Secretary of State for Scotland (1) if he will list all the protection orders in force under the Freshwater and Salmon Fisheries (Scotland) Act 1976, indicating in each case the names of all the rivers and lochs covered by the order; [25501]

(2) what is the total length of rivers and of banks and the total surface area of lochs which are subject to protection orders under the Freshwater and Salmon Fisheries (Scotland) Act 1976. [25502]

Mr. Raymond S. Robertson: The following protection orders made under the Freshwater and Salmon Fisheries (Scotland) Act 1976 are currently in force:

The Rivers Tweed and Eye Protection Order 1980

The Upper Spey and Associated Waters Protection Order 1982

The River Lunan Catchment Area Protection Order 1983

The River Tummel Catchment Area Protection Order 1983

The River Tay Catchment Area Protection Order 1986

The West Strathclyde Protection Order 1988

The River Earn Catchment Area Protection Order 1990

The River Don Catchment Area (Part) Protection Order 1990

The Loch Morar and River Morar Protection Order 1992

The Loch Awe and Associated Waters Protection Order 1992

The River Clyde Catchment Area (Part) Protection Order 1994

The North West Sutherland Protection Order 1994

The River Arkaig, Loch Arkaig and Associated Waters Protection Order 1995

Naming all the rivers and tributaries, including detailing their lengths as well as calculating the surface areas of the lochs involved, could be done only at disproportionate cost. Detailed maps of the area covered by each order are held, and are available for inspection in the Scottish Office Agriculture, Environment and Fisheries Department, Pentland house, Edinburgh for anyone wishing to make such estimates.

Forestry Commission Lands (Sales)

Sir David Steel: To ask the Secretary of State for Scotland how many sales of forestry commission lands have taken place *(a)* in Scotland and *(b)* in England and Wales in each of the last three years; and how many of these included public access agreements. [23994]

Mr. Kynoch: *[holding answer 1 April 1996]:* The subject of the question relates to matters undertaken by Forest Enterprise. I have asked its chief executive, Mr. Neil McKerrow, to arrange for a reply to be given.

Letter from Neil A. H. McKerrow to Sir David Steel, dated 19 April 1996:

You asked the Secretary of State for Scotland the following question:-

"how many sales of Forestry Commission lands have taken place (a) in Scotland and (b) in England and Wales in each of the last three years, and how many of these included public access agreements."

As this question relates to matters that are undertaken by Forest Enterprise, I have been asked to reply.

The information is as follows:

	Number of disposals	*Number including public access agreements*
Year ended 31 December 1993		
Scotland	84	—
England	41	—
Wales	79	1
Year ended 31 December 1994		
Scotland	53	—
England	66	6
Wales	85	13
Year ended 31 December 1995		
Scotland	57	6
England	49	—
Wales	52	8

A list of these cases is placed in the Library of the House each year.

FOREIGN AND COMMONWEALTH AFFAIRS

Human Rights (Turkey)

Mr. Etherington: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Government's proposals to the UN Commission on Human Rights in respect of human rights in Turkey. [25447]

Mr. David Davis: We have contributed to the presidency statement at the UN Commission on Human Rights which will convey to the Turkish Government the depth of our continuing concern about a number of human rights issues in Turkey.

Mr. Etherington: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations his Department has recently received from independent human rights organisations regarding human rights violations in Turkey. [25448]

Mr. Davis: We receive regular reports from Amnesty International and other non-governmental organisations, both in the UK and elsewhere, working in the field of human rights. Many of these organisations make representations to us on the situation in Turkey.

Mr. Etherington: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Turkey's human rights record. [25446]

Mr. Davis: We remain concerned about the human rights situation in Turkey. During 1995, there were some welcome reforms, but much remains to be done. We are encouraging the Turkish Government to sustain progress, in accordance with the international agreements to which they are a signatory.

SOCIAL SECURITY

War Widows (Housing Benefit)

Mr. Alton: To ask the Secretary of State for Social Security how many local authorities have withdrawn the war widows pension disregard from housing benefit calculations. [24924]

Mr. Roger Evans: None. All local authorities must disregard the first £10 of a war widow's pension in housing benefit and council tax benefit calculations. In addition, the whole of any war widows supplementary pension, currently worth £51.71, is also disregarded.

TRANSPORT

Rail Services (Disabled Access)

Ms Short: To ask the Secretary of State for Transport if he will list all Network SouthEast Stations which are inaccessible to wheelchair users. [23188]

Mr. Watts: Twelve operating companies—TOCS—serve the former Network South East area. There is no detailed information available centrally about the accessibility of individual stations.

However, following the restructuring of the railways, as a condition of their licences, the TOCs are required to seek the Rail Regulator's approval for their disabled persons protection policies, which should contain a description of the current facilities, both for stations and for rolling stock. The Rail Regulator plans to use that data to form the benchmark against which station and rolling stock improvements will be measured.

Mr. Chidgey: To ask the Secretary of State for Transport what steps he has taken to ensure that Railtrack does not levy financial penalties on train operating companies if train services are late due to disabled passengers requiring extra assistance. [25483]

Mr. Watts: None. I have no reason to believe that meeting the needs of disabled passengers causes significant delays to services.

National Road Schemes

Mr. Allen: To ask the Secretary of State for Transport how many new starts he expects to be made on national road schemes in the financial year 1996–97; and if he will list each of these schemes indicating which will be managed by the Highways Agency and which through design, build, finance and operate arrangements. [24776]

Mr. Watts: For the financial year 1996–97, the Highways Agency plans to start work on 13 schemes. Of these, eight will be conventionally funded and five, subject to tenders representing value for money, will be managed design, build, finance and operate projects.

These are as follows:

Award of Contract 1996–97

(conventionally funded)

A12 Hackney Wick—M11 link contract 1

A12 Hackney Wick—M11 contract 3

A13 Wennington—Mar Kyke

A13 west of Heathway—Thames avenue improvement

A34 Newbury bypass

A40 Gypsy corner improvement

A40 West circus junction improvement

London primary route signing project

DBFO Contract Awards 1996–97

(subject to tenders representing value for money)

A168/A19: Dishford to Tyne tunnel DBFO project, which includes A19 Norton to Parkway interchange improvement scheme.

A30/A35: Exeter to Bere Regis DBFO project, which includes A30 Honiton to Exeter improvement scheme A35 Tolpuddle to Puddletown bypass scheme.

A50/A564: Stoke to Derby link DBFO project, which includes A564 Doveridge bypass scheme.

M40 Junctions 1 to 15 DBFO project, which includes M40 junctions 1A to 3 widening scheme.

Railtrack (Asset Maintenance)

Ms Short: To ask the Secretary of State for Transport what estimates for Railtrack's maintenance work, other than that referred to in his answer of 13 March, *Official Report*, column *609*, were made available to W. S. Atkins; and if he will make a statement. [25456]

Mr. Watts: Railtrack prepared an initial desktop assessment of its asset maintenance plan for track and route structures for the preparation of its 1994–95 annual report and accounts. W. S. Atkins reviewed this estimate and concluded that it had been professionally prepared in a responsible manner and with reference to both long-term and recent experience of the operation and maintenance of the assets.

Since this initial assessment was prepared, Railtrack has undertaken further extensive investigations into the condition of these assets, based on statistical analyses of data gained from sample surveys and the application of techniques which update and refine the asset maintenance plan as more data become available. This work has given rise to the central estimate for the 10 years from 1 April 1994 of £3,250 million at 1994–95 prices.

British Steel

Mr. MacShane: To ask the Secretary of State for Transport what was the total value of commercial orders placed by his Department with British Steel plc in each year from 1988 to 1995. [25817]

Mr. Norris: The information requested could be provided only at disproportionate cost.

Holyhead to Dun Laoghaire Service

Mr. Flynn: To ask the Secretary of State for Transport if the HSS—high-speed ship—Stena vessel that is due to operate from Holyhead to Dun Laoghaire has been subjected to a safety case assessment; and if he will make a statement. [25392]

Mr. Norris: I have asked the chief executive of the Marine Safety Agency to write to the hon. Member.

Letter from R. M. Bradley to Mr. Paul Flynn, dated 19 April 1996:

The Secretary of State for Transport has asked me to reply to your Question about the High Speed Ship (HSS) Stena vessel which is operating from Holyhead to Dun Laoghaire.

STENA EXPLORER has been build to the International Code of Safety for High Speed Craft and Stena Line have carried out their own safety case assessment. Proper testing of the vessel's design has been undertaken and her performance has been assessed during sea trials.

The Marine Safety Agency (MSA) has been closely involved in approving the special equipment and operational requirements of this revolutionary craft in the United Kingdom's capacity as port State and, more recently, in the role of flag State. The vessel has been surveyed to ensure compliance with the Code and has been issued with a Permit to Operate and other certification necessary for this vessel to operate a passenger service from a UK port.

WALES

Beef

Mr. Morgan: To ask the Secretary of State for Wales if he will list the current guidelines on the supply of *(a)* cow beef and *(b)* prime beef for use in (i) school meals, (ii) meals on wheels, (iii) NHS hospitals supplied by in-house caterers, (iv) NHS hospitals supplied by private caterers, (v) old people's homes and (vi) private nursing homes. [25165]

Mr. Hague: The latest guidance on the safety of beef for human consumption is provided in statements to the House on 20 March, *Official Report*, columns 375-96, on 25 March, *Official Report*, columns 709-37 and on 28 March, *Official Report*, columns 1229-90.

Health Service Budgets

Mr. Morgan: To ask the Secretary of State for Wales what consultations he has had with the chairmen of national health service trusts and health authorities concerning the carrying over into 1996–97, under year-end flexibility arrangements, unspent money from the 1995–96 budget; if those national health service trusts and general practitioner fundholders who underspent their 1995–96 allocation will receive the same budget allocation in 1996–97; if he will list the general practitioner fundholders and national health service trusts concerned; and if he will make a statement. [24920]

Mr. Hague: I have not had any consultations with the chairmen of national health service trusts or health authorities concerning the carrying over of unspent money from the 1995–96 budget into 1996–97 under year-end flexibility arrangements. National health service trusts do not receive an allocation. Instead, they receive their income from contracts with health commissioners. Arrangements have been made for trust which underspend on capital in 1995–96 to carry forward the amount to 1996–97. The allocation to general practitioner fundholders in 1996–97 is not affected by planned savings in previous years. I am unable to list those general practitioner fundholders or NHS trusts that have underspent in 1995–96 until final accounts for the year are produced and audited.

Dental Services

Mr. Simon Hughes: To ask the Secretary of State for Wales how many *(a)* children, *(b)* adults and *(c)* people in total were registered with dentists in each family health services authority in (i) February 1993, (ii) July 1993, (iii) February 1994, (iv) July 1994, (v) February 1995, (vi) July 1995 and (vii) February 1996. [25223]

Mr. Richards: The information is given in the table.

Family Health Service Authority

Number registered at end of month[1]

	Clwyd	*Dyfed*	*Gwent*	*Gwynedd*	*Mid Glamorgan*	*Powys*	*South Glamorgan*	*West Glamorgan*
Children:								
February 1993	52,980	41,671	61,957	27,565	69,200	15,356	61,153	56,212
July 1993	58,497	45,976	67,405	30,378	76,322	16,610	66,749	60,961
February 1994	56,026	43,400	61,855	26,673	70,095	14,509	61,406	56,320
July 1994	60,112	46,661	66,818	29,232	75,737	15,748	66,183	60,705
February 1995	52,848	41,297	61,795	26,285	67,685	14,275	61,269	55,958
July 1995	58,539	45,652	67,585	27,177	73,706	15,780	67,287	60,994
February 1996	54,718	41,171	61,732	25,076	67,137	14,428	61,875	55,306
Adults:								
February 1993	173,196	149,308	196,617	90,004	214,416	48,483	186,667	184,288
July 1993	177,727	151,562	196,708	89,848	220,769	48,156	185,965	187,040
February 1994	184,806	154,131	201,177	82,116	223,241	49,208	187,508	190,147
July 1994	183,301	153,603	193,665	79,679	218,253	46,496	182,561	185,997
February 1995	174,802	144,163	190,917	68,958	218,662	43,892	178,963	186,621
July 1995	173,199	140,781	186,785	66,147	215,908	44,975	175,608	186,966
February 1996	172,106	136,514	183,398	63,162	215,944	44,992	172,605	186,336
Total:								
February 1993	226,176	190,979	258,574	117,569	283,616	63,839	247,820	240,500
July 1993	236,224	197,538	264,113	120,226	297,091	64,766	252,714	248,001
February 1994	240,832	197,531	263,032	108,789	293,336	63,717	248,914	246,467
July 1994	243,413	200,264	260,483	108,911	293,990	62,244	248,744	246,702
February 1995	227,650	185,460	252,712	95,243	286,347	58,167	240,232	242,579
July 1995	231,738	186,433	254,370	93,324	289,614	60,755	242,895	247,960
February 1996	226,824	177,685	245,130	88,238	283,081	59,420	234,480	241,642

[1] Comparability of figures for children registered in different months within the same year is affected by registration practices as children's registrations lapse at the end of the calendar year following the one in which they last saw a dentist.

Theatr Clwyd, Mold

Mr. Hanson: To ask the Secretary of State for Wales when he plans to respond to Flintshire county council's proposals for future funding of Theatr Clwyd, Mold; and if he will make a statement. [25827]

Mr. Richards: My right hon. Friend wrote to the leader of Flintshire county council about the package of support proposed for Theatr Clwyd on 19 April 1996.

Local Authorities (Negligence Claims)

Mr. Morgan: To ask the Secretary of State for Wales what guidelines he *(a)* has issued and *(b)* plans to issue to local authorities on the quality of insurance cover required by them to cover negligence claims arising from the compiling and publication of independent reports commissioned by them. [25890]

Mr. Hague: I have issued no such guidelines and have no immediate plans to do so. However, in the light of the recent developments in north Wales, I have asked my officials, in collaboration with those of other Government Departments, to look at this issue further.

Bovine Spongiform Encephalopathy

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer on 2 April, *Official Report*, column 207, (1) if he will list the numbers of cattle affected by each outbreak of BSE, broken down by *(a)* year, *(b)* county and *(c)* type of herd; [25404]

(2) if he will list the figures for BSE outbreaks by cases and farms affected by *(a)* county and *(b)* year of notification. [25403]

Mr. Hague: Figures for the number of herds and number of cases of BSE by old county names and year of notification are as follows:

Number of cases by county and year of notification

County	*1987*	*1988*	*1989*	*1990*	*1991*	*1992*	*1993*	*1994*	*1995*	*1996*	*Total*
Dairy herds											
Clwyd	1	11	59	163	280	399	451	303	184	19	1,870
Dyfed	12	70	215	486	1,075	1,680	1,465	902	479	47	6,431
Glamorgan Mid	0	4	9	33	35	27	26	22	15	0	171
Glamorgan South	1	8	28	20	52	94	88	49	26	3	369
Glamorgan West	0	1	1	7	9	24	12	8	6	0	68
Gwent	2	21	45	73	127	227	207	113	81	11	907
Gwynedd	1	5	16	13	46	84	69	56	29	8	327
Powys	0	8	25	53	113	229	242	182	104	14	970
Total	17	128	398	848	1,737	2,764	2,560	1,635	924	102	11,113

Number of cases by county and year of notification

County	*1987*	*1988*	*1989*	*1990*	*1991*	*1992*	*1993*	*1994*	*1995*	*1996*	*Total*
Beef suckler herds											
Clwyd	1	1	6	9	85	145	119	71	37	4	478
Dyfed	1	2	11	43	94	171	213	112	40	4	691
Glamorgan Mid	0	0	1	3	7	12	18	17	9	0	67
Glamorgan South	0	2	1	1	3	16	15	3	2	0	43
Glamorgan West	0	0	0	1	1	8	16	6	8	0	40
Gwent	0	3	11	12	9	22	27	18	17	0	119
Gwynedd	0	1	5	11	24	74	84	41	28	4	272
Powys	0	8	43	74	133	278	322	234	150	14	1,256
Total	2	17	78	154	356	726	814	502	291	26	2,966
Mixed production herds											
Clwyd	0	2	5	5	6	26	27	16	4	0	91
Dyfed	0	3	11	45	83	135	129	86	35	3	530
Glamorgan Mid	0	0	0	0	0	4	1	2	1	0	8
Glamorgan South	0	0	0	1	3	4	2	1	0	0	11
Glamorgan West	0	0	1	0	0	1	2	2	0	0	6
Gwent	0	1	3	4	18	17	12	6	2	0	63
Gwynedd	0	0	5	5	10	9	16	11	6	2	64
Powys	0	0	3	1	2	5	14	6	3	0	34
Total	0	6	28	61	122	201	203	130	51	5	807

Number of herds by county and year of notification

County	*1987*	*1988*	*1989*	*1990*	*1991*	*1992*	*1993*	*1994*	*199*	*1996*
2,806 Dairy herds										
Clwyd	1	2	49	79	143	216	250	192	128	19
Dyfed	12	54	159	313	582	826	835	606	343	42
Glamorgan Mid	0	1	6	12	13	14	17	10	7	0
Glamorgan South	1	3	16	12	23	30	41	26	20	3
Glamorgan West	0	1	1	5	7	13	8	6	5	0
Gwent	2	16	33	45	66	109	110	80	50	11
Gwynedd	1	5	15	13	36	57	53	41	24	7
Powys	0	6	20	38	69	129	139	111	69	14
Total[1]	17	88	299	517	939	1,394	1,453	1,072	646	96
1,631 Beef suckler herds										
Clwyd	1	1	5	8	32	58	65	42	16	3
Dyfed	1	2	11	39	77	139	167	91	37	4
Glamorgan Mid	0	0	1	2	7	12	15	10	9	0
Glamorgan South	0	1	1	1	2	7	6	3	1	0
Glamorgan West	0	0	0	1	1	6	11	5	5	0
Gwent	0	2	8	11	8	20	27	13	16	0
Gwynedd	0	1	5	11	22	63	79	38	25	4
Powys	0	8	39	64	115	225	263	183	124	11
Total[1]	2	15	70	137	264	530	633	385	233	22
321 Mixed production herds										
Clwyd	0	2	5	5	5	17	19	14	4	0
Dyfed	0	3	11	30	54	98	95	67	28	3
Glamorgan Mid	0	0	0	0	0	3	1	2	1	0
Glamorgan South	0	0	0	1	1	2	2	1	0	0
Glamorgan West	0	0	1	0	0	1	2	2	0	0
Gwent	0	1	2	3	8	8	5	4	2	0
Gwynedd	0	0	5	4	8	9	12	7	6	2
Powys	0	0	2	1	1	3	9	4	3	0
Total[1]	0	6	26	44	77	141	145	101	44	5

[1] An individual herd may be included in the figures for more than one year.

Children's Homes

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 2 April, how many visits members of his social services inspectorate made to children's homes in Clwyd *(a)* during the period covered by the John Jillings report and *(b)* thereafter. [25405]

Mr. Hague: The social services inspectorate for Wales—until 1989, the social work service—made 37 visits to childrens' homes in Clwyd between 1974 and 1995. The visits covered a range of matters, including premises, staffing and the homes' daily routine.

Mr. Morgan: To ask the Secretary of State for Wales on what date he received the amended version of the John Jillings report into child sex and physical abuse in north Wales children's homes; what further independent advice he has sought; and what further actions he proposes to take to assess its contents. [25891]

Mr. Hague: I refer the hon. Member to my reply to my hon. Friend the Member for Eltham (Mr. Bottomley) on 18 April, *Official Report*, columns *592-93*. My Department received an amended version of this report on 1 April 1996. I am seeking legal advice on a range of issues relating to this report.

Mr. Morgan: To ask the Secretary of State for Wales what representations he has received concerning *(a)* the placing in the Library of the John Jillings report commissioned by Clwyd county council into child abuse, *(b)* its publication in a full or expurgated form and *(c)* the conducting of an inquiry under the terms indicated by the Welsh Office ministerial press release of 7 September 1992. [25889]

Mr. Hague: Since 22 March 1996, there have been 15 letters to the Department calling for publication of the report of the independent panel of inquiry chaired by Mr. John Jillings. In three of these letters, parliamentary publication in some form was suggested. One further correspondent was not in favour of the report being published, but supported the holding of a public inquiry.

HEALTH

Children in Care

Mr. John Townend: To ask the Secretary of State for Health what is the average annual cost for a child in local authority care; and what is the average annual cost of a child in a foster home. [24815]

Mr. Bowis: The average annual gross cost of a child looked after by a local authority is £14,800. For a child in a foster home, the figure is £8,000.

Financial Data

Mr. Milburn: To ask the Secretary of State for Health what in-year financial data his Department will publish on trusts and health authorities. [25879]

Mr. Horam: In-year financial data are not subject to audit and are used for internal management purposes only. They are not therefore suitable for publication.

Extra-contractual Referrals

Mr. Milburn: To ask the Secretary of State for Health what data his Department *(a)* collects and *(b)* will publish on extra-contractual referrals. [25886]

Mr. Malone: Information on the number of extra-contractual referrals—ECRs—has not been collected centrally.

Figures for total expenditure on ECRs by health authority are collected on a "management in confidence" basis as a prompt for investigation if necessary and are not suitable for publication.

Termination Payments

Mr. Milburn: To ask the Secretary of State for Health, pursuant to his answer of 2 April, *Official Report*, column *174*, if he will itemise each termination payment made by each trust and health authority. [25907]

Mr. Malone: The information requested has been placed in the Library.

Oral Contraceptives

Mr. Simon Hughes: To ask the Secretary of State for Health (1) what representations his Department has received on the impact of the advice from the Committee on Safety of Medicines relating to third generation oral contraceptives on the number of unplanned pregnancies and abortions which have occurred since last October and which are forecast for the future; and if he will make a statement; [25610]

(2) what assessments his Department has made of the number of unplanned pregnancies and abortions which have occurred since last October and which are forecast for the future, following the advice from the Committee on Safety of Medicines relating to third generation oral contraceptives; and if he will make a statement; [25611]

(3) what estimates his Department has *(a)* made and *(b)* evaluated of the financial cost of the unplanned pregnancies and abortions which have occurred since last October and which are forecast for the future, following the advice from the Committee on Safety of Medicines relating to third generation oral contraceptives; and if he will make a statement. [25612]

Mr. Malone: Official figures on any increase in the number of abortions and unplanned pregnancies since October 1995 are not yet available. It is not possible to estimate the financial costs that might be involved or the impact that the findings of the recent epidemiological studies on the safety of third generation oral contraceptives have had on the number of pregnancies and abortions.

The Department has received representations on this subject from a number of sources, including correspondence from doctors and other health professionals, and a report from the British Pregnancy Advisory Service on the findings of its recent survey.

Benzodiazepines

Mr. Alex Carlile: To ask the Secretary of State for Health what quantity of each individual type of benzodiazepine was prescribed via community pharmacists in England and Wales in each of the last four years for which figures are available; and if he will make a statement. [20621]

Mr. Malone *[pursuant to his reply, 18 March 1996, c. 80]:* I regret that the information provided was incorrect due to a computing error. I am arranging for the revised calculation and an addition to the explanatory notes to be placed in the Library.

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PARLIAMENTARY DEBATES

OFFICIAL REPORT

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SESSION 1995–96

1st April—19th April 1996

SCOPE OF THE INDEX, ARRANGEMENT AND ABBREVIATIONS

This index is derived from the House of Commons Library's Parliamentary On-Line Information System (POLIS), and the subject terms used are based on those used in POLIS. There are often changes in column numbering, etc., between the daily part or weekly Hansard (which simply collects together the daily parts without revision) and the bound volume. The index for the bound volume is revised to take account of these changes and cannot therefore, be used in connection with the daily part or weekly Hansard. For these versions use the Fortnightly Index.

Scope and arrangement of the Index

Oral and Written Parliamentary Questions are indexed under subject headings and the names of Members asking and Ministers replying to them. Questions are not listed under the names of Departments replying. Departmental listings can be arrived at indirectly by looking under the names of the Minister(s) of that Department. There are, however, the headings 'Northern Ireland', 'Scotland', and 'Wales' under which one can find not only most Questions answered by the Northern Ireland Office, Scottish Office, Welsh Office but also Questions about these areas of the United Kingdom which are answered by other Departments. Ministerial statements are indexed under subject headings, under 'Ministerial statements' and the names of Ministers making them and Members speaking on them. General debates are indexed under broad subject headings and under the names of all Members and Ministers taking part. Debates on legislation (Bills, Orders, Regulations etc.) are indexed under the name of the Bill, Statutory Instruments etc, under subject headings and under the names of those taking part.

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Members' names are given in the form by which they prefer to be known and are printed in bold italics. Under their names, entries are arranged under one of the two headings *Debates, etc.* (to include interventions on statements, points of order and so on) or *Questions.*

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Bills 1R = first reading, 2R = second reading, Money res = money resolution, Comm = Committee stage, Rep = Report stage, 3R = third reading, amendt/amendts = amendment/amendments, * = matter taken formally, without debate.

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